



# MDOT LAP SECTION 106 GUIDANCE DOCUMENT



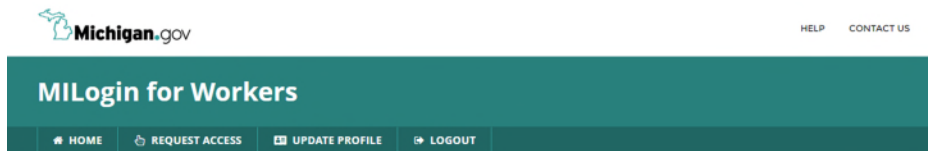
## Table of Contents

JobNet: .....	4
ProjectWise: .....	5
ProjectWise Folders & Documents: .....	6
ProjectWise Naming Conventions & Attributes: .....	8
ProjectWise Documents Changing State: .....	8
Forms & Documentation: .....	9
Section 106 Review: .....	10
Excepted Project Guidance (Group 1): .....	11
5323 Form: .....	14
Conditionally Excepted Project Guidance (Group 2): .....	17
5323 Conditionally Excepted: Archaeological Sensitivity Group 2 .....	20
Archaeological Sensitivity Inquiry: .....	21
5323 Form Conditionally Excepted: Conditional Exceptions Documentation Group 2 .....	23
Conditional Exception Documentation: .....	23
Not Excepted Project Guidance (Full Review): .....	27
5323 Form Not Excepted: MDOT LAP Section 106 Application .....	27
Section 106 Application: .....	28
Supplemental Documents: .....	30
Mapping: .....	30
Work Description: .....	30
Work Description Urban Example: .....	31
Urban Project Mapping Example: .....	32
Project Location Map: .....	32
USGS 7.5' Series Topographic Quad Map: .....	33
Project Area Map: .....	34
Aerial Map: .....	35
DEGR Project Map: .....	36
Shapefiles: .....	36
Photo Map: .....	37
Site Photographs: .....	37
Work Description Rural Example: .....	42

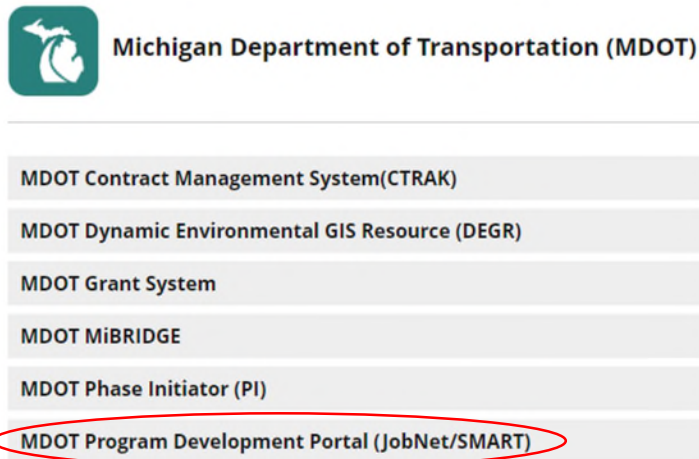
Rural Project Mapping Example:.....	43
Project Location Map (Showing Two Project Areas):.....	43
USGS 7.5' Series Topographic Quad Map: .....	44
USGS 7.5' Series Topographic Quad Map: .....	45
Project Area Map: .....	46
Project Area Map: .....	47
Aerial Map:.....	48
DEGR Project Map:.....	49
Shapefiles: .....	49
Photo Map: .....	50
Site Photographs:.....	50
Cemeteries: .....	56
50 Years:.....	56
Examples of Historic Features:.....	57
Tribal Consultation/Coordination: .....	66
Work Types/Activities: .....	67
Explanation of Frequently Used Terms:.....	74
Contacts: .....	78

## JobNet:

MDOT Job numbers (JN) can be obtained from JobNet, your local planning agency, MDOT Planning or MDOT LAP Project Development Engineer (PDE). To get to JobNet you must go to the MILogin webpage [MILogin - Home Page \(michigan.gov\)](https://milogin.michigan.gov).



From the MILogin webpage you will find the application for JobNet. Click on JobNet.



Click on the link for the JobNet User Guide for Local Jobs to obtain additional guidance:

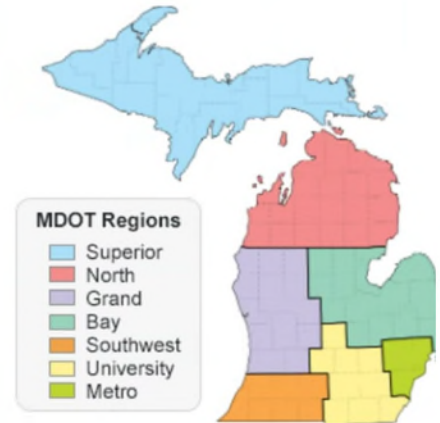
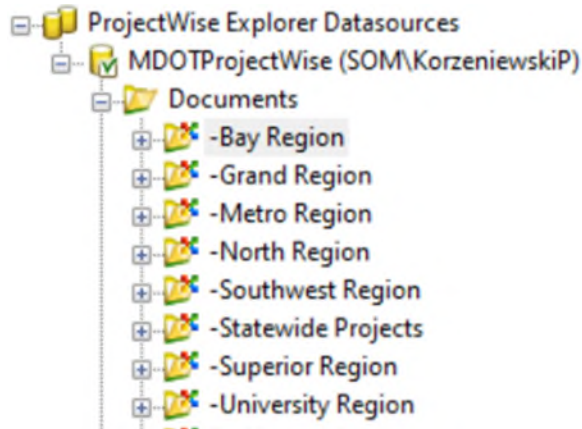


## ProjectWise:

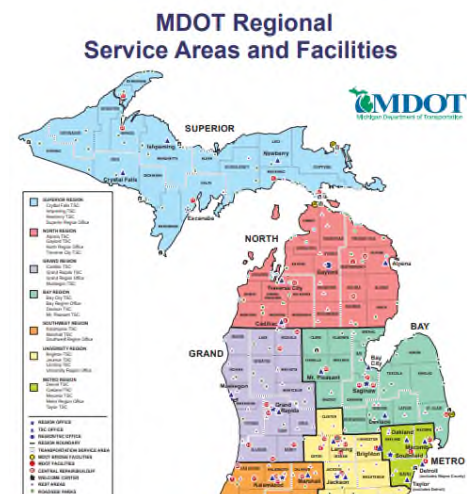
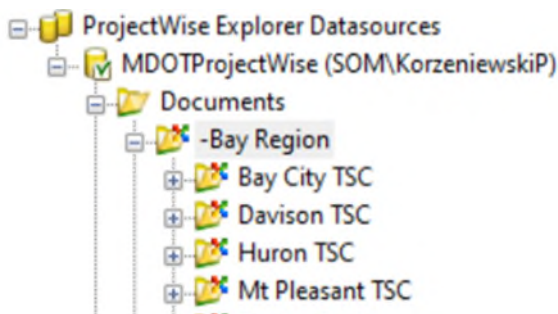
MDOT Section 106 documents are stored within the ProjectWise application. If you need to request a Project Wise folder click on the following link: [Requesting-PW-Folders.pdf](#) ([michigan.gov](http://michigan.gov))



ProjectWise folders are broken down by region (Bay, Grand, Metro, North, Southwest, Superior and University).

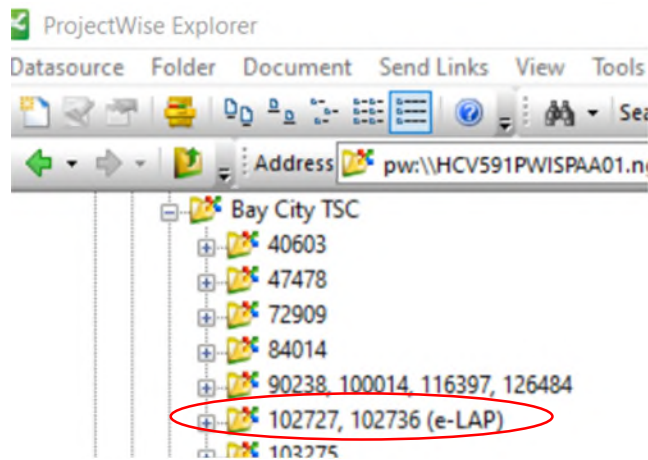


Then each of the region folders are broken down by the Transportation Service Centers (TSC) which covers the sub regions. The TSC are shown below for the Bay region.





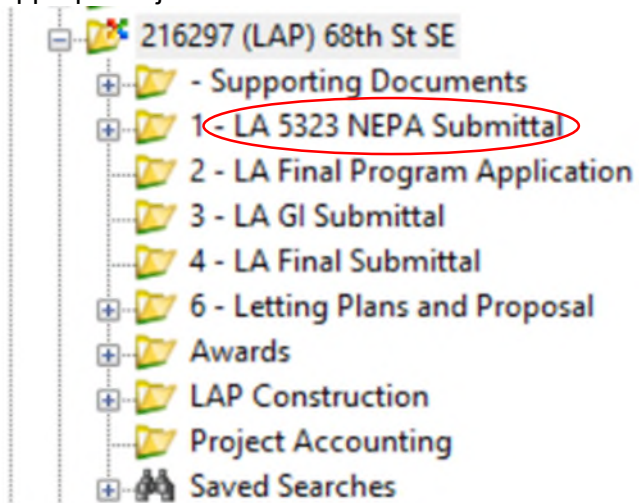
Folders are then broken down by the job number (JN). Local Agency Program (LAP) projects are noted by (e-LAP) after the job number.



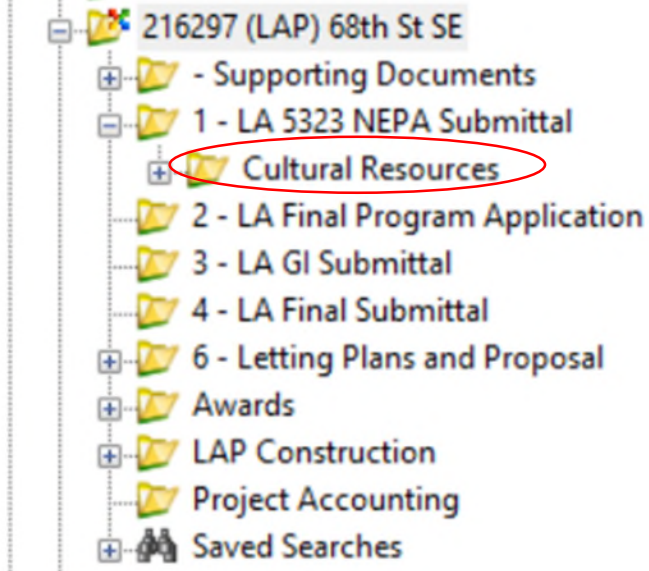
## ProjectWise Folders & Documents:

All project documents should be uploaded to ProjectWise into one of three folders:

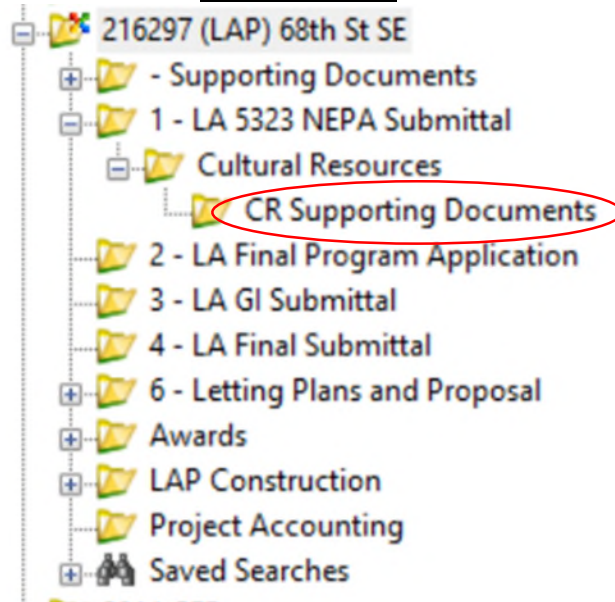
1. LA 5323 NEPA Submittal (folder)
  2. Cultural Resources (subfolder)
  3. CR Supporting Documents (sub, sub folder)
- 
1. The **5323 Form** should be uploaded into the LA 5323 NEPA Submittal folder under the appropriate job number.



2. The ***Archaeological Sensitivity Inquiry, Conditional Exception Documentation*** and the ***MDOT LAP Section 106 Application*** should be uploaded to the Cultural Resources subfolder within the LA 5323 NEPA folder.



3. All supporting documentation (maps, plans, photo, documents, etc.) should be uploaded to the CR Supporting Documents sub, sub folder within the Cultural Resources subfolder that is within the LA 5323 NEPA folder.



## ProjectWise Naming Conventions & Attributes:

When entering the project information into ProjectWise you must upload the file, right click, and drop down to properties, then click on the general tab. For the naming convention please use ARSI for **Archaeological Sensitivity Inquiry**, CED for **Conditional Exceptions Document**, 106 APP for **MDOT LAP Section 106 Application**, and Support type for *Supporting Documentation*. All documents submit to the Cultural Resources folder should be in word not PDF. Please use the following naming conventions:

JN (Job number), document type (ARSI, CED, 106APP, Support Type), Date (year-mm-dd)

JN12345 \_ ARSI \_ 2023-01-01.docx

JN12345 \_ CED \_ 2023-01-01.docx

JN12345 \_ 106APP \_ 2023-01-01.docx

JN12345 \_ Support (map type/photo document/etc.) \_ 2023-01-01.docx

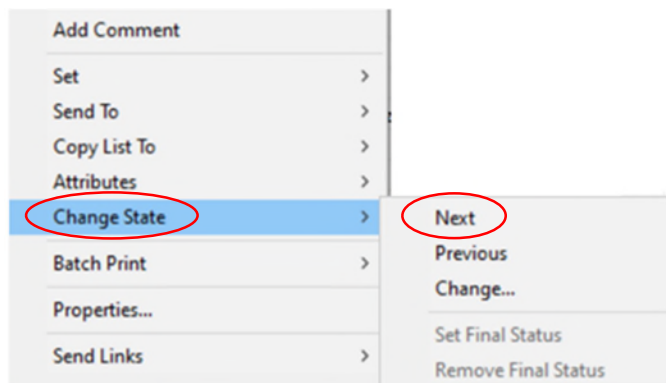
JN12345 \_ Shapefile site/survey area \_ 2023-01-01.docx

## ProjectWise Documents Changing State:

New project submittals will be forwarded through ProjectWise when you change the state on a document, which will alert the cultural resource staff by email that new projects have been submitted.

The Local Agency should only change the state of a document when all the documents are finished, and ready for review. Change the state on the **5323 Form** in the LA 5323 NEPA Submittal folder, and the **Archaeological Sensitivity Inquiry, Conditional Exception Documentation**, and the **MDOT LAP Section 106 Application** in the Cultural Resources folder.

Do not change the state on any of the documents in the CR Supporting Documents folder. To change the state of a document, right click on the document. Scroll down until you see 'Change State'. Choose 'Next', then click ok on the next screen.






Changing the state on a document locks it from further changes by the local agency and alerts the MDOT reviewer that the document has been submitted and is ready for review. If you do not change the state on the document, the Cultural Resource Staff (CRS) will not know that the project has been submitted, which may affect your turn around time and cause project delays.

If you have to make changes to a document or need something deleted after you have changed the state of the document in PW, you must send an email to [mdot-lap-section106-reviews@michigan.gov](mailto:mdot-lap-section106-reviews@michigan.gov) to alert the Cultural Resource Staff.

Emails are auto generated, and will auto populate with the correct, required email address (MDOT CRS & NEPA Coordinators). Do not remove the auto populated addresses. You must manually add the email addresses (in the **Cc:** field) for anyone who you want to be copied on the response (local agency, consultant, etc.). Everyone who is included in the submission email will be notified by the CRS staff when they have completed their review. You must include the Local Agency name, Job #, project location & document type in the subject line of the email.

 Send	To	<input type="radio"/> <a href="#">MDOT-LAP-Section106-Reviews</a>
	Cc	<input type="radio"/> <a href="#">MDOT-LAP-NEPA-Reviews</a> <input type="checkbox"/> local agency <input type="checkbox"/> consultant
Subject (Job number) <u>JNxxxxx</u> , Local Agency, project location & document type		

## Forms & Documentation:

You must fill out and upload the **5323 Form**. The MDOT LAP NEPA Coordinators will review the **5323 Form** for Excepted Projects (Group 1). You must also check the box that corresponds to your project work types and give a description of how they meet the exception. The MDOT LAP NEPA Coordinators will review the **5323 Form**.

You must fill out and upload the **Archaeological Sensitivity Inquiry** as a Word document and provide supporting documentation. The MDOT LAP archaeologist will review the submission and provide a response indicating whether the project is archaeologically sensitive.

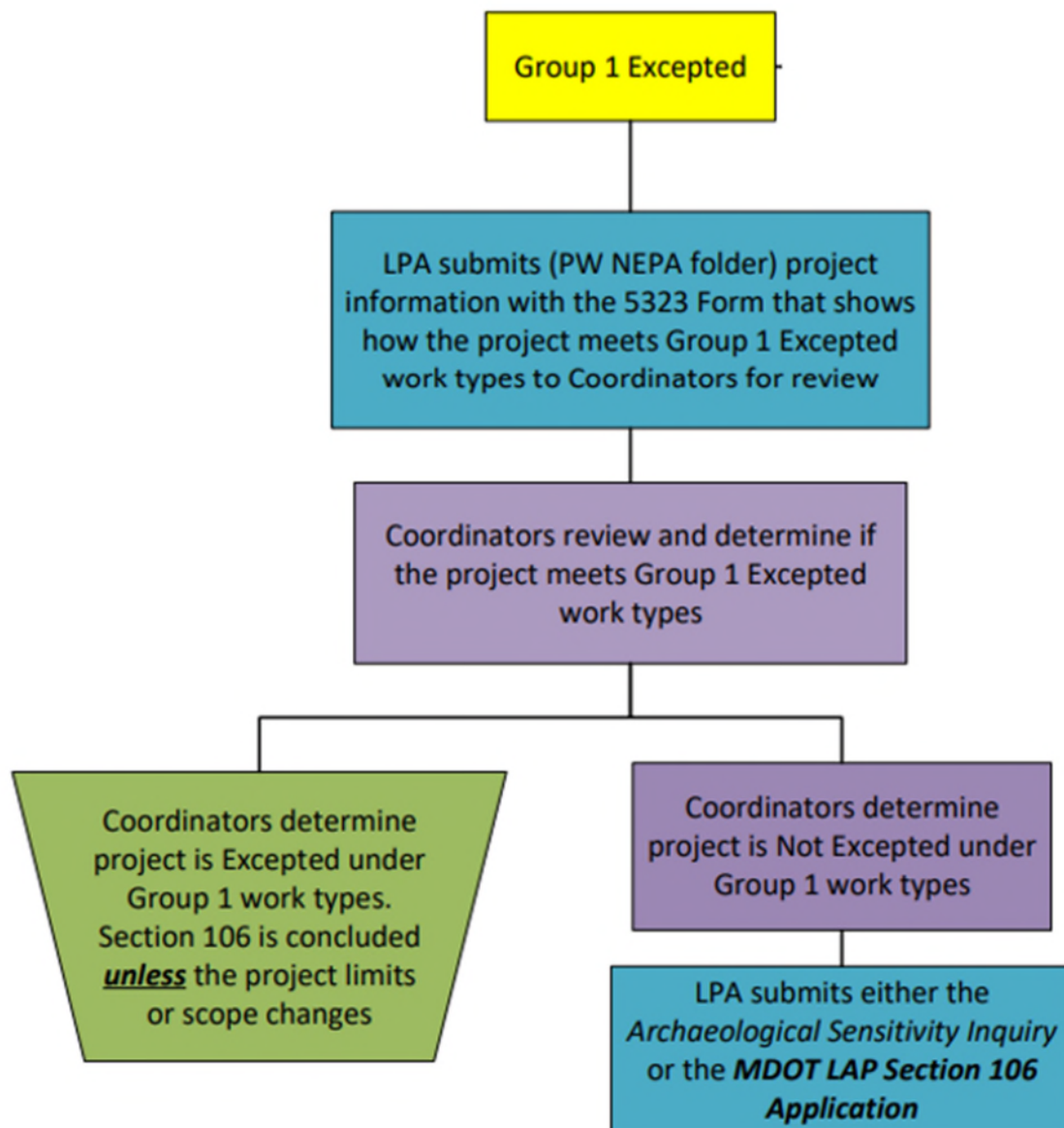
You must fill out and upload the **Conditional Exceptions Documentation** and provide supporting documentation. The MDOT LAP historian and archaeologist will review the submission and provide a response indicating whether the project work types are Conditionally Excepted.

You must fill out and upload the **MDOT LAP Section 106 Application** and provide supporting documentation, if necessary. The MDOT LAP historian and archaeologist will review the submission and provide a response indicating the determination of effects on historic properties.

## Section 106 Review:

There are three different types of project categories: Excepted (Group 1), Conditionally Excepted (Group 2), and Not Excepted (full review) within Appendix B, of the Programmatic Agreement (PA). For reference, the Programmatic Agreement (PA) can be found at the following link: ([Microsoft Word - MI PA FINAL 5-11-22 \(michigan.gov\)](#)).

### EXCEPTED (GROUP 1) FLOW CHART



## Excepted Project Guidance (Group 1):

MDOT LAP Excepted Projects that fall within Appendix B (Group 1) have no conditions attached. These projects consist of work types/actions that by their nature and definition constitute activities that pose little/minimal potential to affect historic properties. Your project can only consist of the following work types, with no other work included.

**Rehabilitating\***, crushing/shaping, resurfacing, milling, and profiling pavement, pavement joint repair, ditch or culvert cleanout, **culvert liners\***, pavement marking, signing with driven posts, all within the road footprint (see Images F and G for rural and urban road footprints).

\*Rehabilitating = work on existing paved surfaces.

\*Any culvert liners where the heavy machinery stays on the existing pavement and/or shoulders can be excepted under Group 1.

\*Any culvert liners that includes the use of heavy machinery outside of the edge of the pavement and/or shoulders including bank excavation, water course or drainage/ditch excavation, equipment staging, temporary access, or grading permits would not meet Group 1 exceptions. You must follow the guidance to determine if Group 2 exceptions apply or if the work is not excepted.

How do I know if my project meets the Group 1 excepted work types on the **5323 Form**?

The project can only include the following activities which must be in the road footprint:

- Rehabilitating\*
- crushing/shaping
- resurfacing
- milling
- profiling pavement
- pavement joint repair
- ditch or culvert cleanout
- culvert liners\*
- pavement marking
- signing with driven posts

For a full list of Excepted (Group 1) project types and activities please look to page 67.

# RURAL RIGHT-OF-WAY

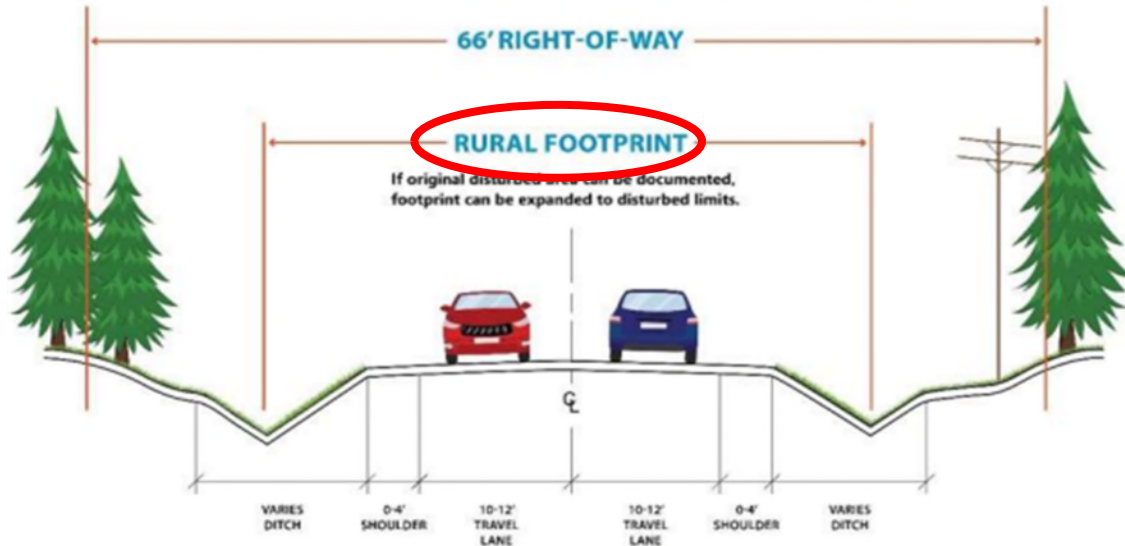


Image F

# URBAN RIGHT-OF-WAY

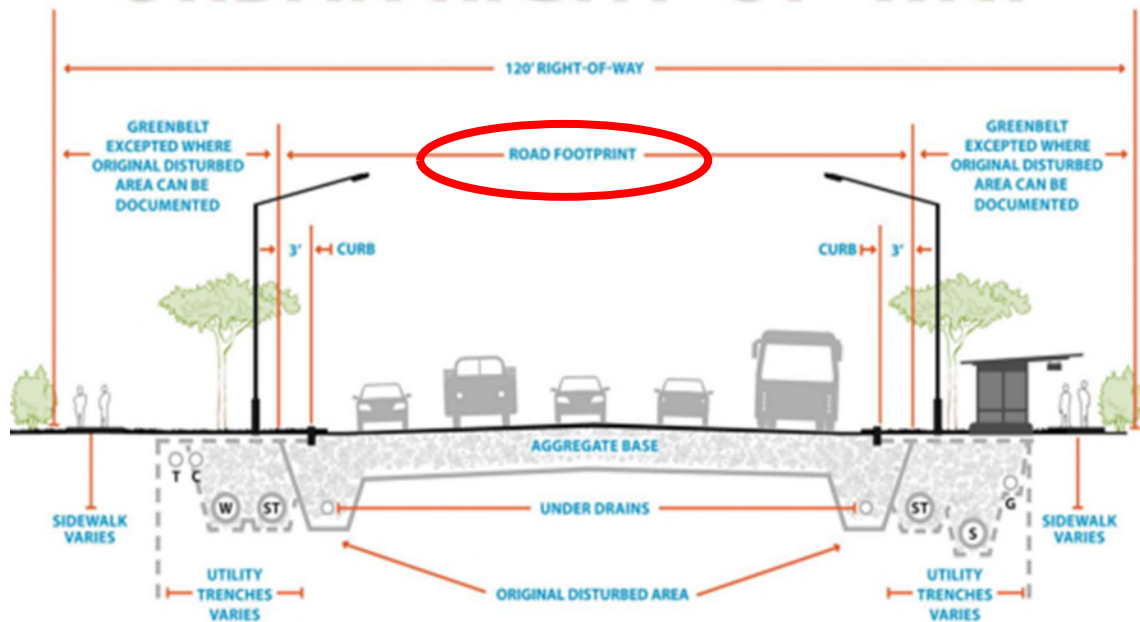


Image G

You must ensure that you are using the most up to date version of the **5323 Form**: [LOCAL AGENCY ENVIRONMENTAL CLEARANCE FORM \(state.mi.us\)](https://state.mi.us).

MDOT 5323 (01/2023)

PAGE 13 OF 20

HISTORIC PROPERTIES AND ARCHAEOLOGICAL RESOURCES
<p>HISTORIC PROPERTIES INCLUDE BOTH ABOVE GROUND AND BELOW GROUND RESOURCES. THERE ARE THREE DIFFERENT TYPES OF PROJECT CATEGORIES: EXCEPTED, CONDITIONALLY EXCEPTED, AND NOT EXCEPTED</p> <p><b>**CLICK ON THE MORE INFO LEAF TO ACCESS THE MDOT LAP SECTION 106 GUIDANCE DOCUMENT &amp; REQUIRED APPLICATIONS**</b></p> <p><b>EXCEPTED PROJECTS (GROUP 1):</b> DOES YOUR PROJECT MEET THE GROUP 1 EXCEPTED WORK TYPES? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>DESCRIBE THE SCOPE OF WORK AND PROVIDE AN EXPLANATION OF HOW THIS PROJECT AND ALL OF ITS COMPONENTS MEET THE GROUP 1 EXCEPTION:</p> <div style="background-color: #e6f2ff; height: 100px; border: 1px solid black;"></div> <p>IF YOUR PROJECT IS EXCEPTED, SECTION 106 IS CONCLUDED UNLESS THE PROJECT LIMITS OR SCOPE CHANGE. IF YOUR PROJECT IS NOT EXCEPTED, YOU MUST SUBMIT EITHER THE ARCHAEOLOGICAL SENSITIVITY INQUIRY OR THE MDOT LAP SECTION 106 APPLICATION.</p> <p><b>CONDITIONALLY EXCEPTED PROJECTS (GROUP 2):</b> YOU MUST SUBMIT THE ARCHAEOLOGICAL SENSITIVITY INQUIRY TO DETERMINE IF YOUR PROJECT MEETS THE GROUP 2 CONDITIONAL EXCEPTIONS.</p> <p>IS YOUR PROJECT ARCHAEOLOGICALLY SENSITIVE? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>IF NO, PLEASE SUBMIT THE CONDITIONAL EXCEPTIONS DOCUMENTATION. IF YES, PLEASE SUBMIT THE MDOT LAP SECTION 106 APPLICATION.</p> <p>YOU MUST SUBMIT THE CONDITIONAL EXCEPTIONS DOCUMENTATION TO DETERMINE IF YOUR PROJECT MEETS THE GROUP 2 CONDITIONAL EXCEPTIONS.</p> <p>DOES YOUR PROJECT MEET THE GROUP 2 CONDITIONALLY EXCEPTED WORK TYPES? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>IF YOUR PROJECT IS EXCEPTED, SECTION 106 IS CONCLUDED UNLESS THE PROJECT LIMITS OR SCOPE CHANGES. IF YOUR PROJECT IS NOT EXCEPTED, PLEASE SUBMIT THE MDOT LAP SECTION 106 APPLICATION.</p> <p><b>NOT EXCEPTED PROJECTS:</b> IF YOUR PROJECT IS NOT EXCEPTED (GROUP 1) OR CONDITIONALLY EXCEPTED (GROUP 2), YOU MUST UPLOAD A COMPLETED MDOT LAP SECTION 106 APPLICATION.</p> <p>NEPA IS NOT COMPLETE UNTIL THE REQUIRED RESPONSES FROM THE MDOT CULTURAL RESOURCES SPECIALISTS HAVE BEEN UP PROVIDED TO THE MDOT NEPA REVIEWER.</p> <div style="text-align: left;"> <a href="#">MORE INFO</a></div>



## 5323 Form:

You must fill out and upload the **5323 Form**. The MDOT LAP NEPA Coordinators will review the **5323 Form** for Excepted Projects (Group 1).

You must check the box that corresponds to the project's work types. For a full list of Excepted (Group 1) project types and activities please look to page 67. If YES ☒, give a description of how they meet the exception. If NO ☐, you must submit either the **Archaeologically Sensitivity Inquiry** or the **MDOT LAP Section 106 Application**.

MDOT 5323 (01/2023)

PAGE 13 OF 20

HISTORIC PROPERTIES AND ARCHAEOLOGICAL RESOURCES	
HISTORIC PROPERTIES INCLUDE BOTH ABOVE GROUND AND BELOW GROUND RESOURCES. THERE ARE THREE DIFFERENT TYPES OF PROJECT CATEGORIES: EXCEPTED, CONDITIONALLY EXCEPTED, AND NOT EXCEPTED	
**CLICK ON THE MORE INFO LEAF TO ACCESS THE MDOT LAP SECTION 106 GUIDANCE DOCUMENT & REQUIRED APPLICATIONS**	
<b>EXCEPTED PROJECTS (GROUP 1):</b>	
DOES YOUR PROJECT MEET THE GROUP 1 EXCEPTED WORK TYPES? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
DESCRIBE THE SCOPE OF WORK AND PROVIDE AN EXPLANATION OF HOW THIS PROJECT AND ALL OF ITS COMPONENTS MEET THE GROUP 1 EXCEPTION:	
<div></div>	
IF YOUR PROJECT IS EXCEPTED, SECTION 106 IS CONCLUDED UNLESS THE PROJECT LIMITS OR SCOPE CHANGE. IF YOUR PROJECT IS NOT EXCEPTED, YOU MUST SUBMIT EITHER THE ARCHAEOLOGICAL SENSITIVITY INQUIRY OR THE MDOT LAP SECTION 106 APPLICATION.	

<p>DESCRIBE THE SCOPE OF WORK AND PROVIDE AN EXPLANATION OF HOW THIS PROJECT AND ALL OF ITS COMPONENTS MEET THE GROUP 1 EXCEPTION:</p> <div style="border: 2px solid red; height: 100px; width: 100%;"></div> <p>IF YOUR PROJECT IS EXCEPTED, SECTION 106 IS CONCLUDED UNLESS THE PROJECT LIMITS OR SCOPE CHANGE. IF YOUR PROJECT IS NOT EXCEPTED, YOU MUST SUBMIT EITHER THE ARCHAEOLOGICAL SENSITIVITY INQUIRY OR THE MDOT LAP SECTION 106 APPLICATION.</p>
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What do I type into the fillable box for the Group 1 Exception?

Describe the scope of work and provide an explanation of how this project and all of its components meet the group 1 exception on the **5323 Form**:

1. Scope of work:

This should be the work description and give the types of work activities, associated activities, location of activities, beginning and ending of the project, etc.

Reconstruction: Remove Existing Intersection Concrete Pavement, Rubblize Remaining Concrete Pavement, and Replace with a New HMA Pavement Section on the Aggregate or Rubblized Concrete Base. This Includes Adding a 3' Paved Shoulder, Ditch Cleanout, adding Signage and New Pavement Markings within the project area in Lansing on Central Ave. from Pine Street to Walnut Street

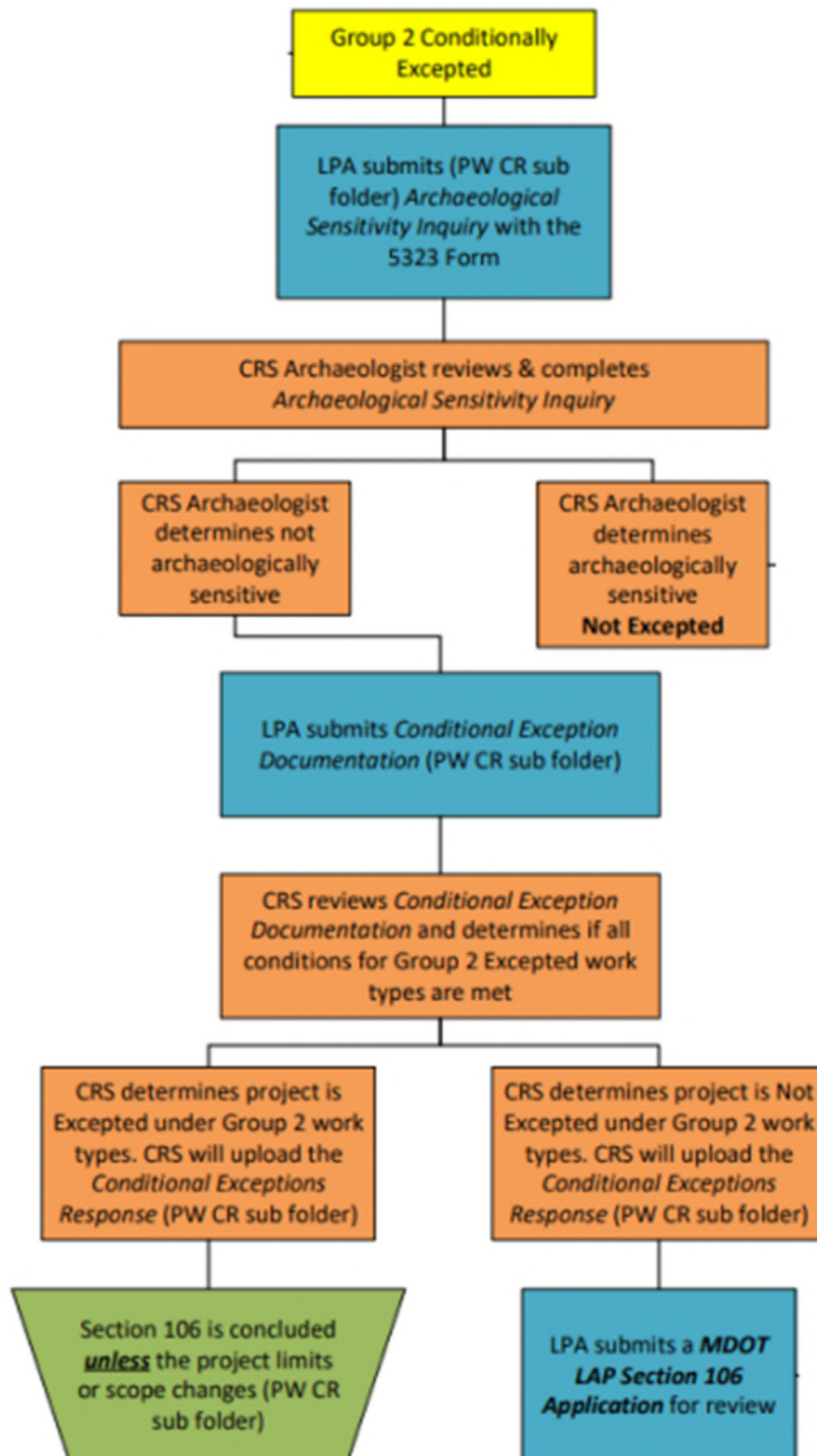
2. Explanation of how the project meets the exception:

It should also discuss if the project is within the road footprint, and if soil disturbance will occur, or explain work activities.

All of the work types are activities that fall within the Group 1 exceptions. All activities will occur within the existing road footprint. Ditch clean out will occur with machinery on the existing pavement and will not leave the pavement. Posts will be driven for signage within the previously disturbed soils and there will be no new ground disturbance

For a full list of Excepted (Group 1) project types and activities please look to page 67.

## CONDITIONALLY EXCEPTED (GROUP 2) FLOW CHART



## Conditionally Excepted Project Guidance (Group 2):

Conditional Excepted Projects that fall within Group 2 have specific conditions attached. These projects consist of work types/actions that by their nature and definition constitute activities that have a greater potential, under various circumstances, to affect historic properties.

### **\*Group 2 Conditions\***

All of the following conditions must apply to the project types below for a project to be excepted:

- There are no objects (like statues or monuments), buildings, historic districts, or structures (like bridges, stone curbs, or brick streets), cemeteries, or intentional/designed landscapes (a landscape is a collection of organized features that can range from something as small as a bird bath to large fields or orchards) that are 50 years old or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs (Traditional Cultural Properties). **(MDOT CRS will determine archaeological sensitivity and potential for impacts to Traditional Cultural Properties. You must include a copy of your *Archaeological Sensitivity Inquiry* response from the MDOT LAP Archaeologist).**
- Construction will take place within the vertical and horizontal limits of previous construction (previously disturbed soils as documented via as-built plans or other construction documentation) or within 2 feet of existing features such as foundations, curbs/gutters, or culverts. **(If there are no existing plans and your work is not within 2 feet of existing features, in previously disturbed soil, it does not meet this condition).**
- Work will take place within the existing right-of-way, permanent easement or with temporary grading permits (a grading permit is permission from a property owner to perform work on their property during construction) for private driveways and side roads. **(The existing right-of-way or permanent easement must have been in place prior to the beginning design of this project. Any temporary grading permit other than for private driveways and side roads does not meet this condition).**

**\*For Group 2 exceptions to apply, all of the following work types or other work types must be associated with existing roadways, railroad crossings, bridges, culverts, drainage features, sidewalks, and/or curb ramps within existing Right of way (ROW) & within previously disturbed soils.**

For a full list of Conditionally Excepted (Group 2) project types and activities please look to page 68.

**The following list of Group 2 work types and actions are excepted if the \*conditions\* above are met:**

**Project Types and Actions:**

- New curb and gutter installation
- Replacement, upgrade, installation of guardrail
- Bridge Preventive Maintenance Work on all bridges (including historic bridges):
  - Hot mix asphalt (HMA) overlay with waterproofing membrane
  - Epoxy deck overlay (Concrete)
  - Shallow or deep deck overlay (removing and replacing concrete surface above or below the top mat of steel reinforcement)
  - Slope paving repair (erosion prevention under bridge)
  - Drainage system repair (bridge deck drains and bridge approach downspouts)
  - Concrete crack sealing
  - Concrete deck patching and repair
  - Approach pavement relief joint installation
  - Temporary supports
  - Expansion or construction joint repair
  - Scarifying and hydro-demolition for decks only
  - Water repellant treatment on deck surfaces
- Bridge Preventive Maintenance for bridges less than 50 years old:
  - Painting only (full, zone, or spot painting)
  - Pin and hanger replacement
  - Joint replacement and repair
  - Substructure Patching

**Other Work Types:**

- Railroad (RR) crossing upgrades, provided no runarounds are used to reroute vehicular or RR traffic, all work is within the road footprint, all work is within the RR right-of-way and any signals are replaced in kind.
  - Replacement, repair, or extension of culverts and other drainage structures that do not exhibit wood, stone or brick structures or parts therein. A culvert is a closed conduit under a roadway or embankment used to maintain flow from a natural channel or drainage ditch. The FHWA definition of a culvert requires that it have a span of 20 feet or less beneath the roadway, otherwise it is considered a bridge.
- Replacement or modifications of Americans with Disabilities Act compliant ramps, sidewalk transitions or bus loading pads.
  - Culvert and bridge scour and erosion countermeasures within 25 feet of top of bank and 100 feet upstream and downstream, see Image A.
- Modification of existing signs, signals, markings, illumination, other warning devices and their supports, or poles.
  - Temporary grading permits for work outside the right of way to match existing driveway or private road extensions, see Image B and C.
- Embankment material which includes processed granular materials placed in the -or in a permanent easement with no excavation, see Image D and E.





Image A

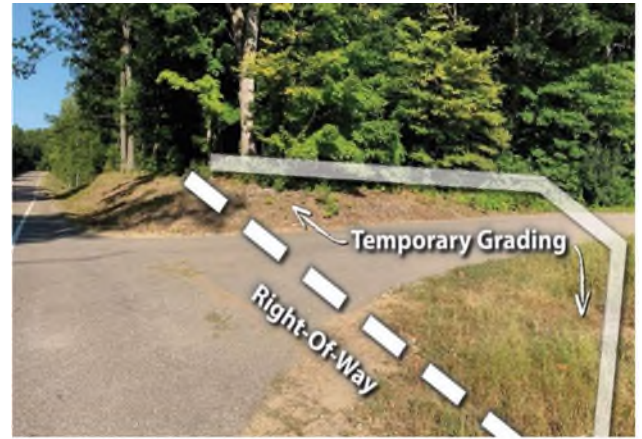


Image B



Image C



Image D

## ROADWAY CROSS SECTION

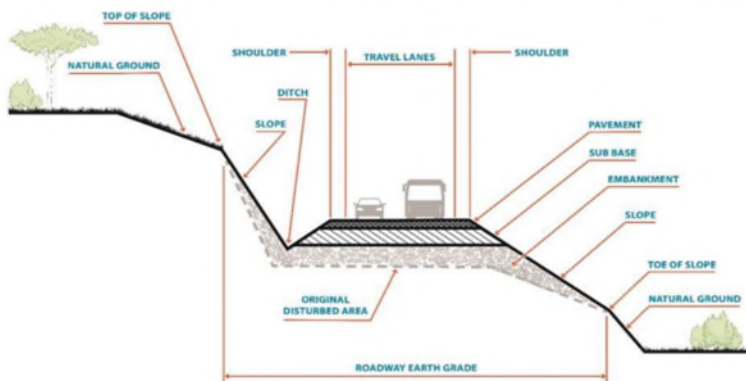


Image E

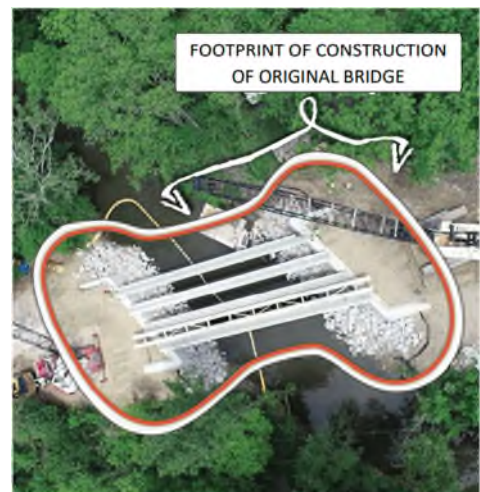


Image F

## 5323 Conditionally Excepted: Archaeological Sensitivity Group 2

If you checked NO ☒, for the Excepted Projects Group 1 portion of the **5323 Form**, then you must fill out the Conditionally Excepted Group 2 portion of the **5323 Form**. Fill out and upload the **Archaeological Sensitivity Inquiry** (Word document) and provide supporting documentation/maps. The MDOT LAP archaeologist will review the submission and provide a response indicating whether or not the project area is archaeologically sensitive. If the archaeologist notes that your project is archaeologically sensitive, check YES ☒. You must submit the **MDOT LAP Section 106 Application**. If the archaeologist notes that your project is NOT archaeologically sensitive, check NO ☒. You must submit the **Conditional Exceptions Documentation**. Please attach a copy of the **Archaeological Sensitivity Inquiry** to the **5323 Form**.

<p><b>EXCEPTED PROJECTS (GROUP 1):</b></p> <p>DOES YOUR PROJECT MEET THE GROUP 1 EXCEPTED WORK TYPES? YES <input type="checkbox"/> NO <input checked="" type="checkbox"/></p> <p>IF YOUR PROJECT IS EXCEPTED, SECTION 106 IS CONCLUDED UNLESS THE PROJECT LIMITS OR SCOPE CHANGE. IF YOUR PROJECT IS NOT EXCEPTED, YOU MUST SUBMIT EITHER THE ARCHAEOLOGICALLY SENSITIVITY INQUIRY OR THE MDOT LAP SECTION 106 APPLICATION.</p> <p>DESCRIBE THE SCOPE OF WORK AND PROVIDE AN EXPLANATION OF HOW THIS PROJECT AND ALL OF ITS COMPONENTS MEET THE GROUP 1 EXCEPTION:</p> <div style="background-color: #e6f2ff; height: 100px; border: 1px solid #ccc;"></div>
<p><b>CONDITIONALLY EXCEPTED PROJECTS (GROUP 2):</b></p> <p>YOU MUST SUBMIT THE ARCHAEOLOGICAL SENSITIVITY INQUIRY TO DETERMINE IF YOUR PROJECT MEETS THE GROUP 2 CONDITIONAL EXCEPTIONS.</p> <p>IS YOUR PROJECT ARCHAEOLOGICAL SENSITIVE? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>IF NO, PLEASE SUBMIT THE CONDITIONAL EXCEPTIONS DOCUMENTATION. IF YES, PLEASE SUBMIT THE MDOT LAP SECTION 106 APPLICATION.</p>
<p>YOU MUST SUBMIT THE CONDITIONAL EXCEPTIONS DOCUMENTATION TO DETERMINE IF YOUR PROJECT MEETS THE GROUP 2 CONDITIONAL EXCEPTIONS.</p> <p>DOES YOUR PROJECT MEET THE GROUP 2 CONDITIONALLY EXCEPTED WORK TYPES? YES <input type="checkbox"/> NO <input type="checkbox"/></p> <p>IF YOUR PROJECT IS EXCEPTED, SECTION 106 IS CONCLUDED UNLESS THE PROJECT LIMITS OR SCOPE CHANGES. IF YOUR PROJECT IS NOT EXCEPTED, PLEASE SUBMIT THE MDOT LAP SECTION 106 APPLICATION.</p>

## Archaeological Sensitivity Inquiry:

One of the conditions from the Programmatic Agreement, Appendix B states, "...the area is neither archaeologically sensitive nor contains TCPs. MDOT Cultural Resources Specialists will determine archaeological sensitivity and potential for impacts to TCPs."

All projects that are submitted for Group 2 review must have an **Archaeological Sensitivity Inquiry** completed. To determine whether a project qualifies as a conditionally excepted work type under Group 2, upload the **Archaeological Sensitivity Inquiry** to the ProjectWise Cultural Resources sub-folder for review by the MDOT LAP archaeologist. Upload all supporting documentation and maps to the CR Supporting Documents sub, sub folder.

. The MDOT LAP archaeologist will review the submission and provide a response indicating whether the project is archaeologically sensitive. The **Archaeological Sensitivity Inquiry** response must be completed and signed off by the MDOT LAP archaeologist. If your project area is not archaeologically sensitive, you must complete the **Conditional Exceptions Documentation**.

If your project area is archaeologically sensitive, you will not meet the exceptions and conditions and you must submit a **MDOT LAP Section 106 Application**. Do not submit the **Conditional Exceptions Documentation**.



## ARCHAEOLOGICAL SENSITIVITY INQUIRY

Provide the following information to request an Archaeological Sensitivity Analysis for the purpose of determining whether the project qualifies under the Appendix B, Conditionally Excepted (Group 2) project.

Date: \_\_\_\_\_

MDOT Job Number (JN) #: \_\_\_\_\_

Local Agency Contact Name: \_\_\_\_\_

Local Agency: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Preparer Name (if different): \_\_\_\_\_

Company/Agency: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Project Location (Street/Road/Route/Crossing): \_\_\_\_\_

Project Municipality (city, village, township): \_\_\_\_\_

County: \_\_\_\_\_

USGS 7.5' series topographic map(s) with Quad Name(s): \_\_\_\_\_

Section/Township/Range: \_\_\_\_\_

Maps: Indicate all maps/shapefiles/plans that will be provided along with this inquiry and upload to the ProjectWise CR Supporting Documentation sub-folder. Maps must include the job number, north arrow, legend, a scale bar, depict the project area, state the project work type, state the project location, state the topo quad map name and show the beginning (POB) and ending point (POE) of the project.

At a minimum the following must be included:

A general project location map(s) showing all project locations within the local agency\*

A USGS 7.5' series topo quad map showing the project area(s)

A project area map depicting the project right-of-way, limits and work activities.

☐ General project location map showing all project locations within the local agency ([Google Maps](#)). This map is only needed if there is more than one project area within the local agency\*.

☐ Project limits map showing cross street/roads/intersections, river/stream crossings/drainage ditches. Map should specify locations/limits of the work activities within the project limits project including bridge and culverts, non-motorized pathways/trails, ditching, utility relocation/installation, tree removal, streetscape items, new water retention/detention areas, access or staging areas, or any other item not described which could have potential environmental impacts within the project area.

☐ USGS 7.5' series topo map(s) with Quad Name or Private Claim numbers ([Free USGS Topographic Maps Online - Topo Zone](#) & [topoView | USGS](#)).

☐ Aerial photo map showing the project location and limits ([Google Earth](#) or [Google Maps](#)).

☐ DEGR project map ([MDOT Dynamic Environmental GIS Resource \(michigan.gov\)](#))

☐ Shapefiles (polygon) showing the project limits ([Google Earth](#) (KMZ) or GIS shapefile (polygon) (<https://home-mdot.hub.arcgis.com/>)).

☐ Project site plans and as-built plans (show the project location & highlight ROW acquisition/staging/access).

### TO BE COMPLETED BY MDOT LAP ARCHAEOLOGIST:

The MDOT LAP Archaeologist has reviewed your inquiry and related project maps and has determined that:

☐ The project area is not archaeologically sensitive nor contains any known Traditional Cultural Properties (TCP). As the next step you must submit the *Conditional Exceptions Documentation*.

☐ The project area is archaeologically sensitive and/or contains known Traditional Cultural Properties (TCP). As the next step you must submit the *MDOT LAP Section 106 Application*.

MDOT LPA Archaeologist: \_\_\_\_\_ Date: \_\_\_\_\_

**Inadvertent Finds:** In accordance with the 2020 MDOT Standard Specifications for Construction Manual, Subsection 107.09 regarding Archaeological and Historical Findings, if any items of potentially archaeological or historical significance (bones, artifacts, buried foundations, etc.) are encountered, all ground disturbing activities within 100' of the discovery will be stopped. The Engineer shall contact the MDOT LAP Archaeologist immediately for consultation and direction. All project personnel shall treat any discovery as confidential, and photographs of finds may not be taken unless directed by the MDOT Archaeologist.

## 5323 Form Conditionally Excepted: Conditional Exceptions Documentation Group 2

If you checked NO ☒, for the Archaeological Sensitivity portion of the **5323 Form**, then you must fill out the **Conditional Exceptions Documentation** and provide supporting documentation. You must also fill out the conditional exceptions portion of the **5323 Form**. The MDOT LAP archaeologist and historian will review the submission and provide a response indicating whether the project is conditionally excepted. If your project is conditionally excepted choose YES ☒, Section 106 is concluded unless the project limits or scope changes. Please attach a copy of this response to the **5323 Form**. If your project is not conditionally excepted choose NO ☒, please submit the **MDOT LAP Section 106 Application**.

### **CONDITIONALLY EXCEPTED PROJECTS (GROUP 2):**

YOU MUST SUBMIT THE ARCHAEOLOGICAL SENSITIVITY INQUIRY TO DETERMINE IF YOUR PROJECT MEETS THE GROUP 2 CONDITIONAL EXCEPTIONS.

IS YOUR PROJECT ARCHAEOLOGICAL SENSITIVE? YES ☐ NO ☒

IF NO, PLEASE SUBMIT THE CONDITIONAL EXCEPTIONS DOCUMENTATION.

IF YES, PLEASE SUBMIT THE MDOT LAP SECTION 106 APPLICATION.

YOU MUST SUBMIT THE CONDITIONAL EXCEPTIONS DOCUMENTATION TO DETERMINE IF YOUR PROJECT MEETS THE GROUP 2 CONDITIONAL EXCEPTIONS.

DOES YOUR PROJECT MEET THE GROUP 2 CONDITIONALLY EXCEPTED WORK TYPES? YES ☐ NO ☐

IF YOUR PROJECT IS EXCEPTED, SECTION 106 IS CONCLUDED UNLESS THE PROJECT LIMITS OR SCOPE CHANGES.

IF YOUR PROJECT IS NOT EXCEPTED, PLEASE SUBMIT THE MDOT LAP SECTION 106 APPLICATION.

## Conditional Exception Documentation:

Complete the **Conditional Exceptions Documentation** and upload it to the ProjectWise Cultural Resources sub-folder. Do not submit the **Conditional Exception Documentation** until the **Archaeological Sensitivity Inquiry** is completed!!!

Your **Conditional Exceptions Documentation** must include a detailed statement explaining how your project and all its components meet the exceptions and conditions. You must also upload supporting documentation demonstrating how these conditions are met (maps, photographs, aerial views, assessor's records, plans, as-built plans, or other construction documents) to support your explanation to the ProjectWise CR Supporting Documents sub-sub-folder for review.

Once the review is completed, the MDOT LAP archaeologist and historian will upload a copy of the **Conditional Exception Response** to the ProjectWise Cultural Resources sub-folder. If the MDOT LAP archaeologist and historian determine that the project does not meet the conditional exception criteria, it is not excepted and you must complete the **MDOT LAP Section 106 Application**.



# CONDITIONAL EXCEPTIONS DOCUMENTATION

**(Do not complete until you have received your Archaeological Sensitivity Inquiry response from the MDOT LAP Archaeologist)**

Date: [REDACTED]

MDOT Job Number (JN) #: [REDACTED]

Local Agency Contact Name: [REDACTED]

Local Agency: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Preparer Name (if different): [REDACTED]

Company/Agency: [REDACTED]

Phone: [REDACTED]

Email: [REDACTED]

Project Location (Street/Road/Route/Crossing): [REDACTED]

Project Municipality (city, village, township): [REDACTED]

County: [REDACTED]

## All Excepted Project Types with Conditions under Appendix B:

- Will be reviewed in their entirety
- Will be limited to the activity(ies) and conditions specified in Appendix B
- Will not be part of a larger undertaking
- Will be on an existing transportation facility
- Will not be segmented by activity or subject to differential review procedures

## Please check all work types below that are part of your project:

- ☐ New curb and gutter installation
- ☐ Replacement, upgrade, installation of guardrail
- ☐ Bridge Preventive Maintenance Work on all bridges (including historic bridges):
  - Hot mix asphalt (HMA) overlay with waterproofing membrane
  - Epoxy deck overlay (Concrete)
  - Shallow or deep deck overlay (removing and replacing concrete surface above or below the top mat of steel reinforcement)
  - Slope paving repair (erosion prevention under bridge)
  - Drainage system repair (bridge deck drains and bridge approach downspouts)
  - Concrete crack sealing
  - Concrete deck patching and repair
  - Approach pavement relief joint installation
  - Temporary supports
  - Expansion or construction joint repair
  - Scarifying and hydro-demolition for decks only
  - *Water repellant treatment on deck surfaces*
- ☐ Bridge Preventive Maintenance for bridges less than 50 years old:
  - Painting only (full, zone, or spot painting)
  - Pin and hanger replacement
  - Joint replacement and repair
  - Substructure patching

**Other Work Types:**

- ☐ Railroad (RR) crossing upgrades, provided no runarounds are used to reroute vehicular or RR traffic, all work is within the road footprint, all work is within the RR right-of-way and any signals are replaced in kind, (See *Sec. 106 Guidance Document*).
- ☐ Replacement, repair, or extension of culverts and other drainage structures that do not exhibit wood, stone or brick structures or parts therein. A culvert is a closed conduit under a roadway or embankment used to maintain flow from a natural channel or drainage ditch. The FHWA definition of a culvert requires that it have a span of 20 feet or less beneath the roadway, otherwise it is considered a bridge.
- ☐ Replacement or modifications of Americans with Disabilities Act (ADA) compliant ramps, sidewalk transitions or bus loading pads.
- ☐ Culvert and bridge scour and erosion countermeasures within 25 feet of top of bank and 100 feet upstream and downstream, (See *Sec. 106 Guidance document Image A*).
- ☐ Modification of existing signs, signals, markings, illumination, other warning devices and their supports, or poles.
- ☐ Temporary grading permits for work outside the right of way to match existing driveway or private road extensions, (See *Sec. 106 Guidance document Image B and C*).
- ☐ Embankment material which includes processed granular materials placed in the right of way or in a permanent easement with no excavation, (See *Sec. 106 Guidance document image D and Image E*).

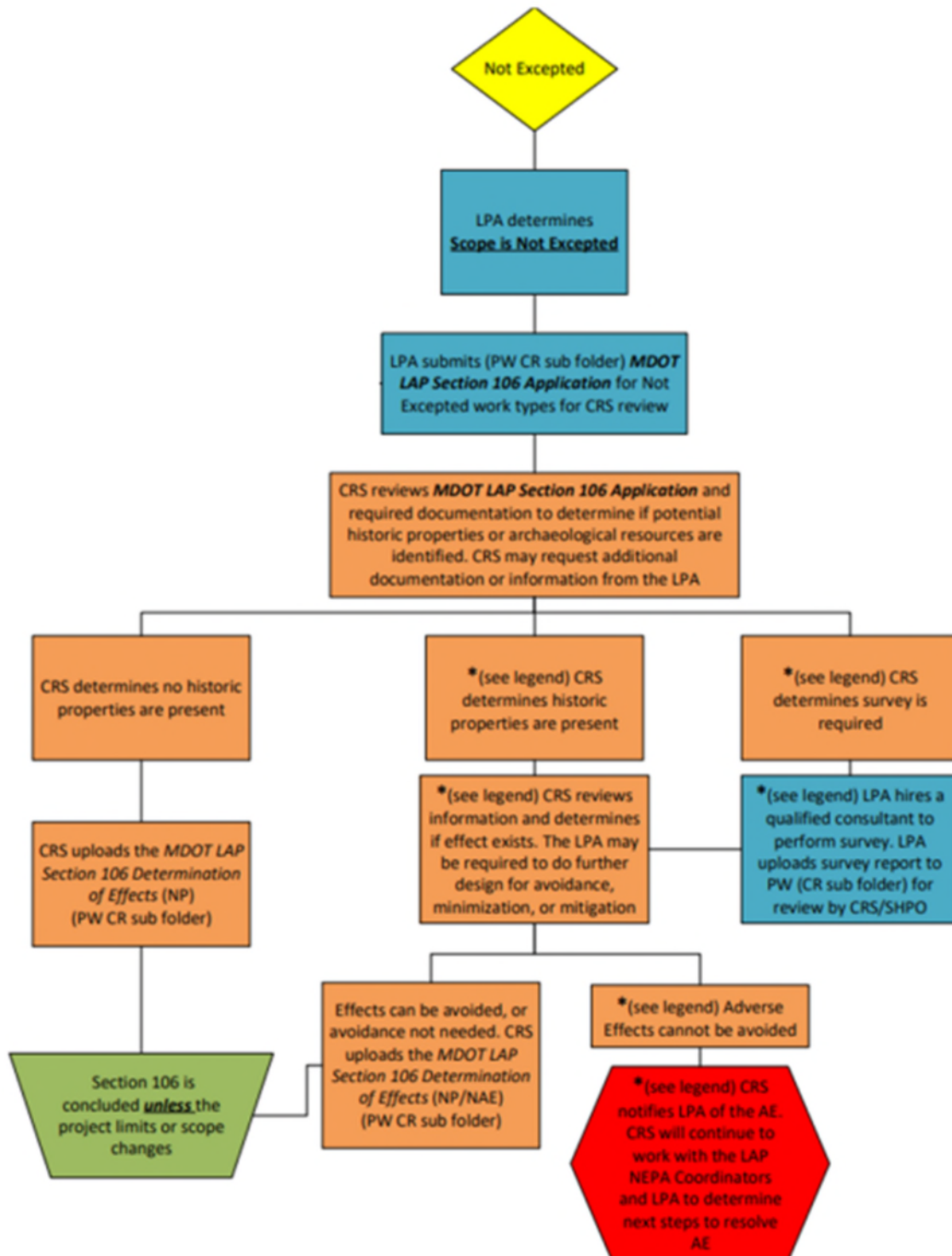
**All of the following conditions must be met for all of the work types checked above for the project to be excepted:**

- There are no objects (like statues or monuments), buildings, historic districts, or structures (like bridges, stone curbs, or brick streets), cemeteries, or intentional/designed landscapes (a landscape is a collection of organized features that can range from something as small as a bird bath to large fields or orchards) that are 50 years old or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains (Traditional Cultural Properties) TCPs (include a copy of your *Archaeological Sensitivity Inquiry* response from the MDOT LAP Archaeologist).
- Construction will take place within the vertical and horizontal limits of previous construction (previously disturbed soils as documented via as-built plans or other construction documentation) or within 2 feet of existing features such as foundations, curbs/gutters, or culverts. (If there are no existing plans and your work is not within 2 feet of existing features, in previously disturbed soil, it does not meet this condition).
- Work will take place within the existing right-of-way, permanent easement or with temporary grading permits (a grading permit is permission from a property owner to perform work on their property during construction) for private driveways and side roads. (The existing right-of-way or permanent easement must be in place prior to the beginning of the design for the project. Any temporary grading permit other than for private driveways and side roads does not meet this condition).

Upload any/all specific documentation (maps, plans, photos, etc.) exhibiting how these conditions are met to the Cultural Resources Supporting Documentation sub-folder in ProjectWise. For instruction on the level of documentation needed, please see the *Section 106 Guidance Document*.

Provide a detailed written explanation of how this project and all of its related work activities meet these exceptions and conditions.

## NOT EXCEPTED FLOW CHART



## Not Excepted Project Guidance (Full Review):

Not excepted projects do not meet the exceptions of Group 1, nor the conditional exceptions of Group 2, as defined in Appendix B of the Programmatic Agreement. These projects consist of work types/actions that by their nature and definition constitute activities that have the greatest potential to affect historic properties. Not excepted projects require full Section 106 review by MDOT Cultural Resources Specialists.

### 5323 Form Not Excepted: MDOT LAP Section 106 Application

If your project was determined to be archaeologically sensitive, or your project did not meet the Group 2 conditionally excepted work types then you must fill out and upload **the MDOT LAP Section 106 Application** and provide supporting documentation. The MDOT LAP historian and archaeologist will review the submission and provide a **Section 106 Determination of Effect Response** to the ProjectWise Cultural Resources sub-folder. Please attach this response to the **5323 Form**.

**CONDITIONALLY EXCEPTED PROJECTS (GROUP 2):**  
YOU MUST SUBMIT THE ARCHAEOLOGICAL SENSITIVITY INQUIRY TO DETERMINE IF YOUR PROJECT MEETS THE GROUP 2 CONDITIONAL EXCEPTIONS.

IS YOUR PROJECT ARCHAEOLOGICAL SENSITIVE? YES ☒ NO ☐

IF NO, PLEASE SUBMIT THE CONDITIONAL EXCEPTIONS DOCUMENTATION.  
IF YES, PLEASE SUBMIT THE MDOT LAP SECTION 106 APPLICATION.

YOU MUST SUBMIT THE CONDITIONAL EXCEPTIONS DOCUMENTATION TO DETERMINE IF YOUR PROJECT MEETS THE GROUP 2 CONDITIONAL EXCEPTIONS.

DOES YOUR PROJECT MEET THE GROUP 2 CONDITIONALLY EXCEPTED WORK TYPES? YES ☐ NO ☐

IF YOUR PROJECT IS EXCEPTED, SECTION 106 IS CONCLUDED UNLESS THE PROJECT LIMITS OR SCOPE CHANGES.  
IF YOUR PROJECT IS NOT EXCEPTED, PLEASE SUBMIT THE MDOT LAP SECTION 106 APPLICATION.

**NOT EXCEPTED PROJECTS:**

IF YOUR PROJECT IS NOT EXCEPTED (GROUP 1) OR CONDITIONALLY EXCEPTED (GROUP 2), YOU MUST UPLOAD A COMPLETED MDOT LAP SECTION 106 APPLICATION.

NEPA IS NOT COMPLETE UNTIL THE REQUIRED RESPONSES FROM THE MDOT CULTURAL RESOURCES SPECIALISTS HAVE BEEN UP PROVIDED TO THE MDOT NEPA REVIEWER.

## Section 106 Application:

If your project is not excepted (Group 1) or conditionally excepted (Group 2) you must upload the ***MDOT LAP Section 106 Application***. The bottom portion of the application Includes a detailed project description of all work to be undertaken as part of the project. Upload the completed application to the ProjectWise Cultural Resources sub-folder for review.

You must also upload supporting documentation (maps, photographs, aerial views, assessor's records, and as-built plans, design plans or other construction documentation) to the ProjectWise CR Supporting Documents sub-sub-folder for review.

**If any information was previously uploaded to ProjectWise as part of the *Archeological Sensitivity Inquiry* or the *Conditional Exceptions Documentation*, do not resubmit unless that information has changed. However, you should reference the previously submitted information in your MDOT LAP Section 106 Application.**

**Following the review of the application and supporting documentation with the MDOT LAP Section 106 Application, MDOT Cultural Resource Specialists will:**

- Identify any known historic or archaeological resources in the project area
- Determine if a field investigation/survey is needed to collect more information
- If needed, provide RFP (request for proposal) language to the LPA to assist the LPA in hiring a qualified consultant for field investigation/survey
- Make a determination of effect after historic properties are identified
- If there is an effect, work with the LPA to avoid or minimize effects
- MDOT will consult with the SHPO and Native American Tribes when necessary, including all Adverse Effects
- Provide guidance on mitigation for Adverse Effects



## MDOT LAP SECTION 106 APPLICATION

Date:   
MDOT Job Number (JN) #:

Local Agency Contact Name:   
Local Agency:   
Phone:   
Email:

Preparer Name (if different):   
Company/Agency:   
Phone:   
Email:

Project Location (Street/Road/Route/Crossing):   
Project Municipality (city, village, township):   
County:   
USGS 7.5' series topographic map(s) with Quad Name(s):   
Section/Township/Range:

If any information requested below has already been uploaded to ProjectWise, there is no need to resubmit unless that information has changed.

**Maps/plans:** Indicate all maps/shapefiles/plans that will be provided along with this application and upload to the ProjectWise CR Supporting Documents sub-folder. Maps must include the job number, north arrow, legend, a scale bar, depict the project area, state the project work type, state the project location, state the topo quad map name and show the beginning (POB) and ending point (POE) of the project.

At a minimum the following maps must be included:

- A general project location map(s) showing all project locations within the local agency\*
- A USGS 7.5' series topo quad map showing the project area(s)
- A project area map depicting the project right-of-way, limits and work activities.

- ☐ General project location map showing all project locations within the local agency ([Google Maps](#)). This map is only needed if there is more than one project area within the local agency\*.
- ☐ Project limits map showing cross street/roads/intersections, river/stream crossings/drainage ditches. Map should specify locations/limits of the work activities within the project limits project including bridge and culverts, non-motorized pathways/trails, ditching, utility relocation/installation, tree removal, streetscape items, new water retention/detention areas, access or staging areas, or any other item not described which could have potential environmental impacts within the project area.
- ☐ USGS 7.5' series topo map(s) with Quad Name or Private Claim numbers ([Free USGS Topographic Maps Online - Topo Zone & topoView | USGS](#)).
- ☐ Aerial photo map showing the project location and limits ([Google Earth](#) or [Google Maps](#)).
- ☐ DEGR project map ([MDOT Dynamic Environmental GIS Resource \(michigan.gov\)](#))
- ☐ Shapefiles (polygon) showing the project limits ([Google Earth](#) (KMZ) or GIS shapefile (polygon) (<https://home-mdot.hub.arcgis.com/>)).
- ☐ Project site plans and as-built plans (show the project location & highlight ROW acquisition/staging/access).

**Site Photographs:** Provide clear photographs of all buildings and structures located along the project corridor. Photos must be numbered and keyed to the project photo road map.

- ☐ Project Photos
- ☐ Photo Map

Include any plans (if available):

- ☐ Project Plans Included
- ☐ As-built Plans Included

Will there be right-of-way (ROW) acquisition as part of this project?

- ☐ Yes ☐ No

If yes, demonstrate the ROW acquisition and show the location on the project map and highlight/callout on project plans.

If yes was checked above, please check all that apply:

- ☐ Permanent (easement and/or fee)
- ☐ Temporary (consent to construct or consent to grade)

**Project Work Description:** Describe in detail all work to be undertaken as part of the project:

## Supplemental Documents:

Plans and specifications and/or other exhibits/graphics should be included as needed to adequately depict the project scope and its specific impact on historic properties, but these cannot be substituted for an adequate written description. If the project includes special plan sheets, notes, provisions, or specifications related to historic properties, include these items. Include additional diagrams, as needed, to show the impact of the project on historic properties, such as a diagram or plan sheet showing the existing versus proposed ROW, when there are takings from historic properties. If you submit project plans, ensure that the project limits are shown. If possible, highlight or call out any proposed ROW acquisition, staging areas, and access areas on the plans. Otherwise, when preparing supplemental documentation, you may use colors or highlights on separate copies of project plans to show these areas.

### Mapping:

Project maps must be included to show the location of the project area. Maps allow a reviewer who is not familiar with the project to understand the exact location where the project will take place. In some cases, depending on the size of the project and scope of the work, more than one map may be needed. Maps must include the job number, north arrow, scale bar, and have either the location description or the topo map name (if topo). Ensure that you depict the entire project area in every map that you submit. The project area (The existing and proposed ROW that encompasses a given LPA project from its POB to its POE) is outlined in blue throughout the guidance document. Clearly depict the entire footprint of the project area. The length (beginning (POB) & ending (POE) and the width (existing and proposed ROW) of the project area. Highlight or draw a box around your project area's worst-case scenario of ground disturbance if unknown. The project area must be to scale.

**At a minimum the following maps must be included:**

- **A general project location map showing the project location(s) within the local agency (if more than one location)**
- **A USGS 7.5' series topographic quad map showing the project area(s)**
- **A project area map depicting the project right-of-way, limits and depict work activities which could have potential environmental impacts.**
- **Photo Map (Only needed for the Conditional Exception Document & 106 Application)**

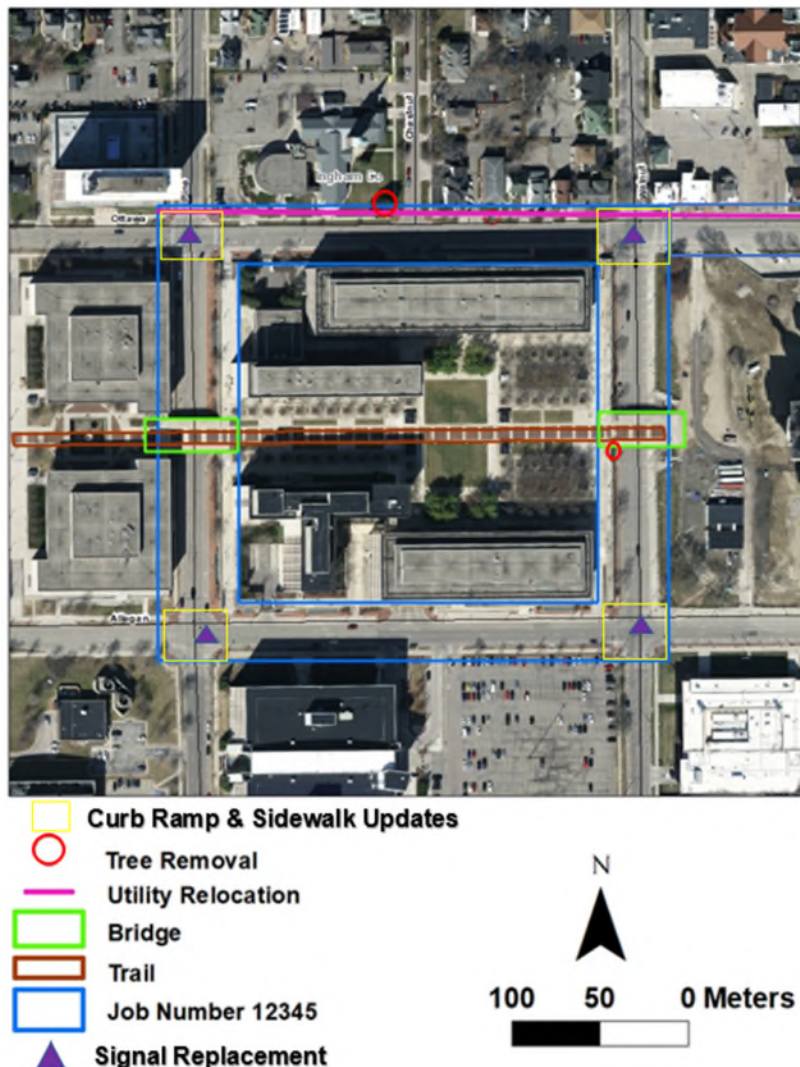
### Work Description:

Provide a detailed description of all work activities that will be undertaken as part of the project including both federally funded and non-federally funded. Include information about the project work activities and/or (ROW) acquisition, including but not limited to building or structure removals, rehabilitation, new construction, relocations, landscape alteration, tree/vegetation removals, excavations, temporary workspaces, access roads, work site parking, work trailer locations, equipment and materials storage/staging, street/sidewalk/curb removal, repair, replacement, installation or any other item not described which could have potential environmental impacts. Discuss the activities and depth of disturbance in the project area. The length (beginning (POB) & ending (POE) and the width (existing and proposed ROW) of the project area.

## Work Description Urban Example:

BAD Example: Street Repaving, Pedestrian Facility Replacement in Downtown Lansing.

GOOD Example: (2 inch) HMA Overlay (0.9 miles) on W. Ottawa St, Allegan St. Pine St. and Walnut St. in Lansing, Ingham County. The work will include signal replacements, ADA compliant curb ramp replacements, curb and sidewalk replacements at each intersection. The depth of replacement is 1 foot. Associated work activities include utility relocation on W. Ottawa St. from Pine St. to Capitol Ave. There will also be restriping and two possible tree removals. All of the work will occur within the existing ROW and no ROW acquisition is anticipated for this project.

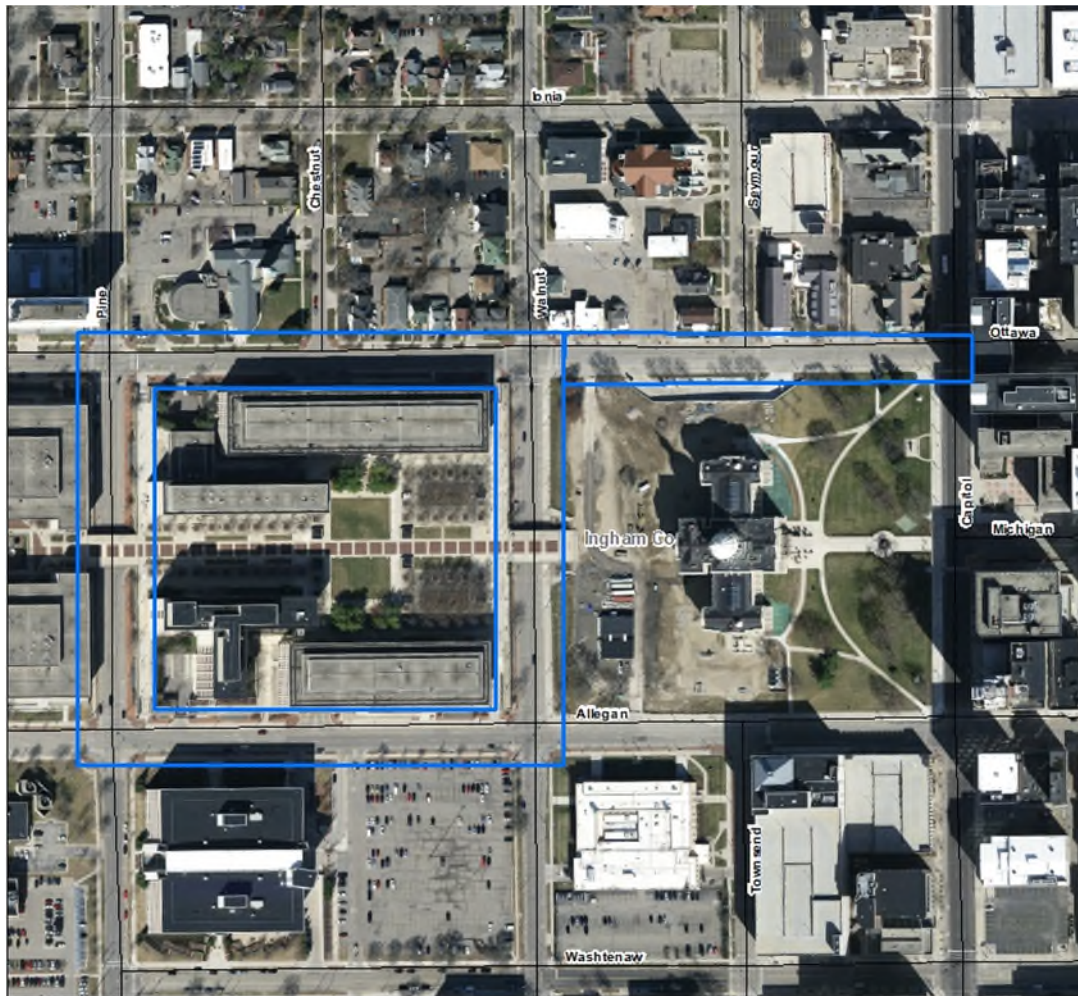




## Urban Project Mapping Example:

### Project Location Map:

You must include all project location(s) within the local agency ([Google Maps](#)). The map must show the project area(s) and street names. This map should be cropped and zoomed to show the project area(s). This map is only needed if there is more than one project area within the local agency.



**HMA overlay, sidewalk, curb, and curb ramp replacement:**

**W. Ottawa St. from N. Pine St. to Capitol St.**

**W. Allegan St. from N. Pine St. to N. Walnut St.**

**N. Pine St. from W. Ottawa St. to W. Allegan St.**

**N. Walnut St. from W. Ottawa St. to W. Allegan St.**



**Job Number 12345**

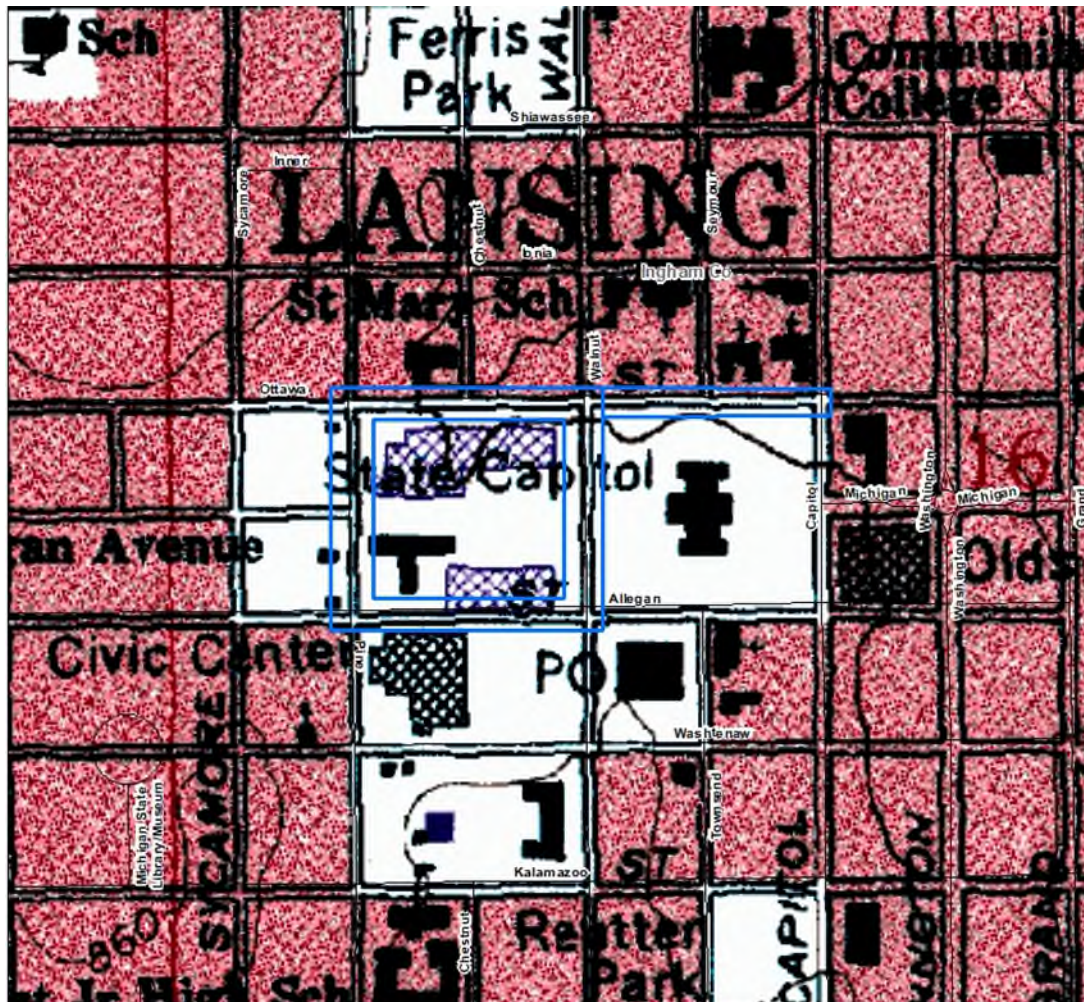
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## USGS 7.5' Series Topographic Quad Map:

You must include the USGS 7.5' series topographic map(s) ([Free USGS Topographic Maps Online - Topo Zone](#)). The maps can also be downloaded for free at the USGS Topo View website ([topoView | USGS](#)). Label this graphic with the official USGS Quad map name, Section, Township, and Range information. This map should be cropped and zoomed to show the project area.



Lansing South, MI Topo Quad Map  
Sec 16, Township 4N, Range 2W



Job Number 12345

N

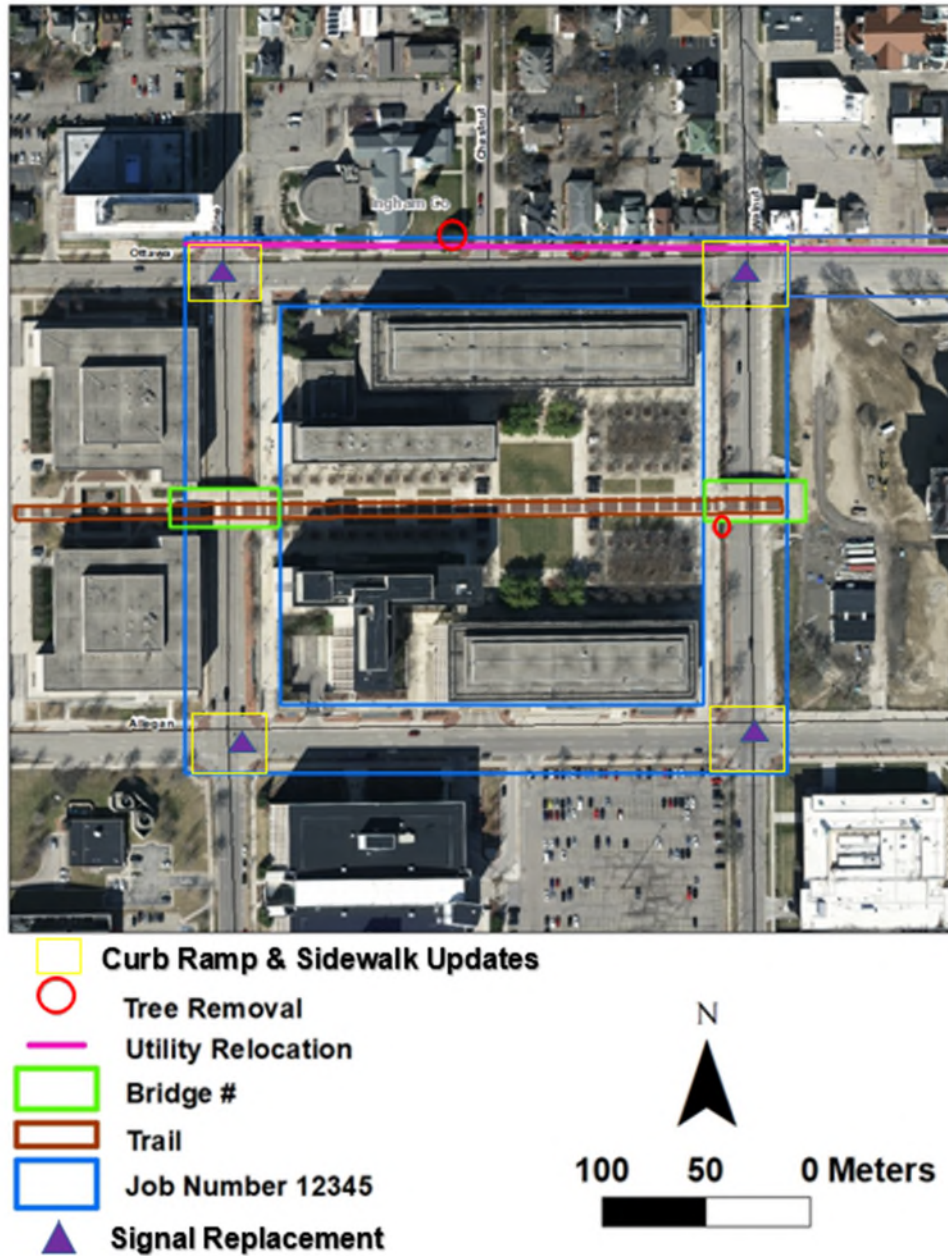


200 100 0 Meters



## Project Area Map:

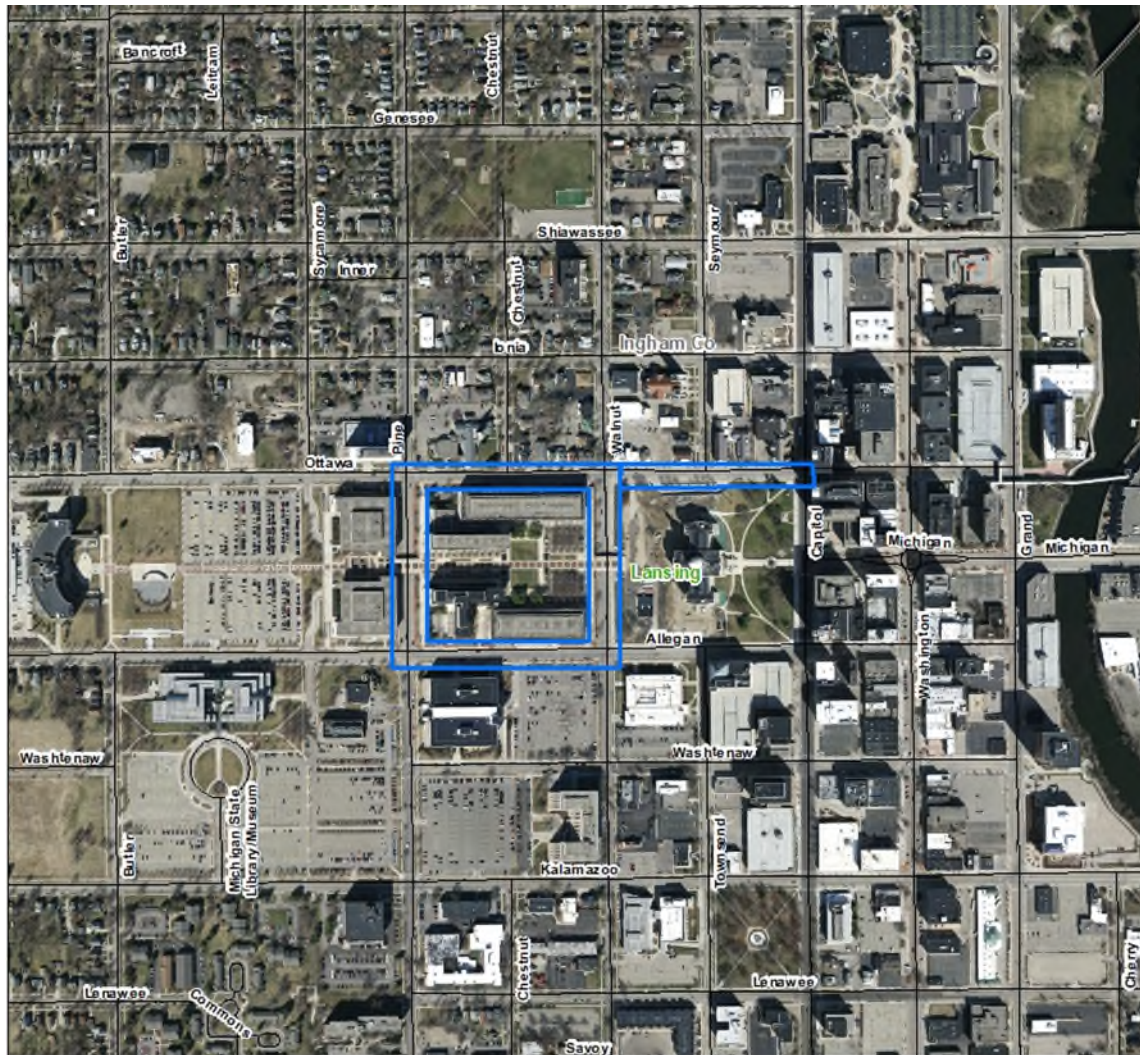
You must include a map showing the project area, street/roads/intersections, right of way, and show the locations of the work activities within the project limits. Your map should have a legend which depicts any bridges, culverts, tree removals, non-motorized pathways/trails, utility relocation/installations, streetscape items, new water retention/detention areas, access or staging areas, or any other item not described which could have potential environmental impacts. This map should be cropped and zoomed to show the project area.





## Aerial Map:

You may submit an aerial map of the project location and limits showing cross street/roads/intersections ([Google Earth](#) or [Google Maps](#) ). Aerial images may be included as supplemental documents but will not be accepted in place of the maps required above. This map should be cropped and zoomed to show the project area.



**HMA overlay, sidewalk, curb, and curb ramp replacement:**

**W. Ottawa St. from N. Pine St. to Capitol St.**

**W. Allegan St. from N. Pine St. to N. Walnut St.**

**N. Pine St. from W. Ottawa St. to W. Allegan St.**

**N. Walnut St. from W. Ottawa St. to W. Allegan St.**



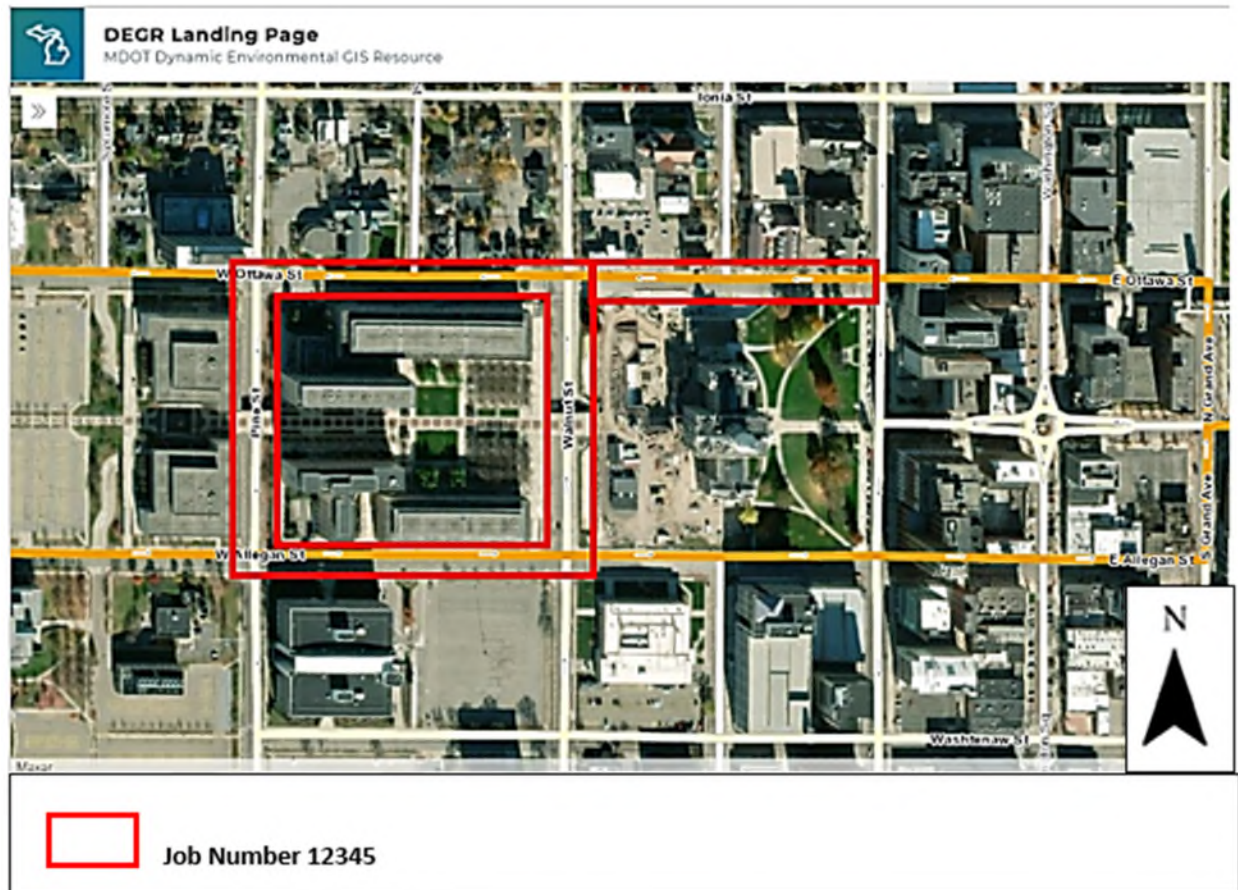
**Job Number 12345**

**250 125 0 Meters**



## DEGR Project Map:

You may submit a DEGR project map of the project location and limits showing cross street/roads/intersections ([MDOT Dynamic Environmental GIS Resource \(michigan.gov\)](https://michigan.gov/mdot)). If you submit a DEGR project map the Historic layer must be turned on to depict historic resources. The DEGR project map may be included as supplemental documents but will not be accepted in place of the maps required above. This map should be cropped and zoomed to show the project area.



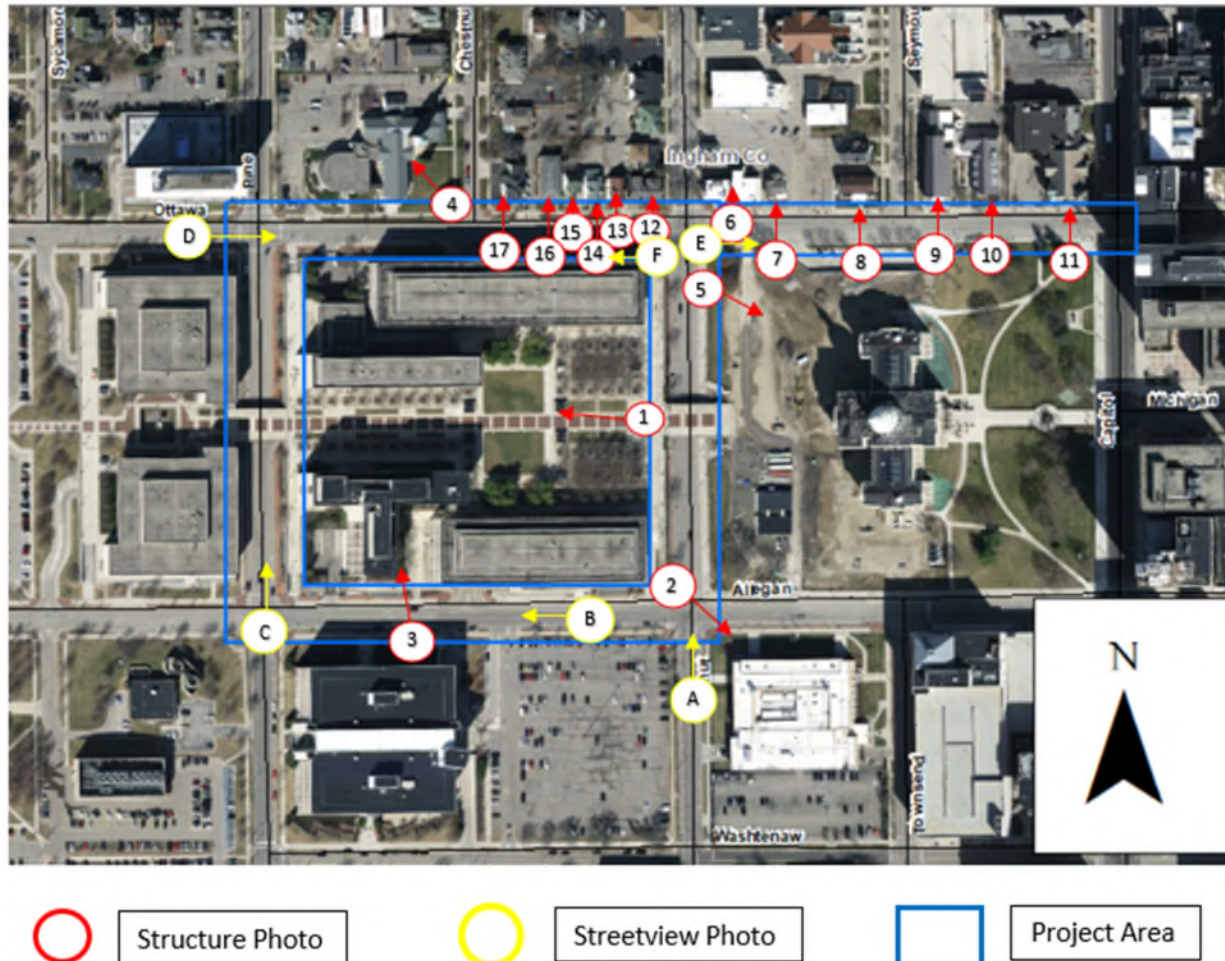
## Shapefiles:

If available, provide shapefiles (polygon) that depict the project area. They can be either ([Google Earth](https://www.google.com/earth/)) files (KMZ) or ArcMap GIS shapefile ([Department of Transportation \(arcgis.com\)](https://www.arcgis.com)). Please note, that GIS shapefiles should be sent as a polygon, not a line or a point.



## Photo Map:

You must include a photo map with your submission. Photos should not be uploaded as individual files but should be combined within a Microsoft Word or PDF document as a photo document. Each photo should be numbered/identified and keyed to a photo map, with the number of the photograph, and an arrow indicating the cardinal direction the camera was pointed when the photo was taken.



## Site Photographs:

Provide clear photographs that illustrate the general project area(s), as well as any buildings and structures that are 50 years of age or more located along the project corridor. If the project covers a large area, or multiple locations, provide several views. If the removal of mature trees is required, include photos of those locations, and key them to the map. Submitting grainy, dark, washed out, or blurry photographs will delay review of your project. Photos where features are covered in snow or leaves will not be accepted. Aerial photographs are not a substitute for ground-level photographs, although they may be useful as supplemental to those photographs.



*Figure A. Walnut St. view North*



*Figure B. Allegan St. view West*



*Figure C. Pine St. view North from Allegan St*



*Figure D. W. Ottawa St. view East from Pine St.*



*Figure E. W. Ottawa St. view East from Walnut St.*



*Figure F. W. Ottawa St. view West from Walnut St.*





*Figure 1. Walnut St. overpass view West*



*Figure 2. Corner of W. Allegan St. and Walnut St. view Southeast*



*Figure 3. 530 W. Allegan St. view North*



*Figure 4. 510 W. Ottawa St. and Chestnut St. view Northwest*



*Figure 5. Corner of W. Ottawa St. and Walnut St. view Southeast*



*Figure 6. W. Ottawa St. and Chestnut St. view North*





Figure 7. 218 W. Ottawa St. view North



Figure 8. 318 W. Ottawa St. view North



Figure 9. 218 W. Ottawa St. view North



Figure 10. 218 1/2 W. Ottawa St. view North



Figure 11. 215 N. Capital Ave. view North



Figure 12. 201 N. Walnut St. view North





Figure 13. 406 W. Ottawa St. view North



Figure 14. 412 W. Ottawa St. view North



Figure 15. 416 W. Ottawa St. view North



Figure 16. 420 W. Ottawa St. view North



Figure 17. 426 W. Ottawa St. view North

## Work Description Rural Example:

**BAD Example:** Repaving & Culvert Replacement on Cutler Rd. all work is within the ROW.

**GOOD Example:** HMA Overlay & Culvert Replacement on W. Cutler Rd in DeWitt Township, Clinton County. The project extends 963 feet west to 580 feet east of UNT Looking Glass River for a length of 1543 feet. The work will include a 30 ft concrete box culvert 'in kind' replacement, excavation to a depth of 2 feet, with erosion control measures (riprap), as well as approach work on both intersections of S. Dewitt Rd. Associated work activities include a (2 inch) HMA overlay, ditch clean out, site distance improvements at both intersections, restriping, and possible tree removal. All of the work will occur within the existing ROW and no additional ROW acquisition is anticipated for this project.



HMA overlay, culvert replacement, ditch clean out  
and restriping W. Cutler Road & S. Dewitt Road



Culvert



Project Area Job Number 12345



Ditch Clean Out



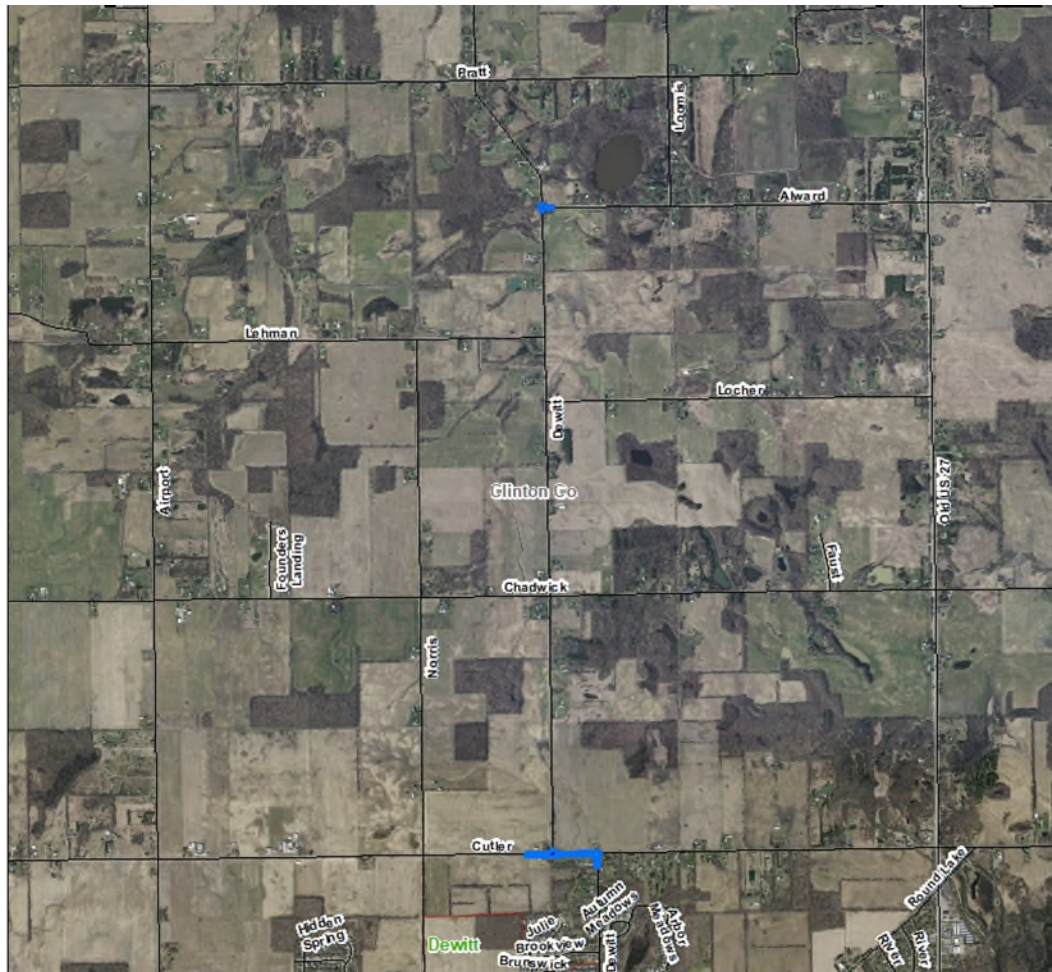
60 30 0 Meters



## Rural Project Mapping Example:

### Project Location Map (Showing Two Project Areas):

You must include all project location(s) within the local agency ([Google Maps](https://www.google.com/maps)). The map must show the project area(s) and street names. This map should be cropped and zoomed to show the project area(s). This map is only needed if there is more than one project area within the local agency.



HMA overlay, ditch clean out and restriping  
Alward St. and S. DeWitt Rd. Intersection  
W. Cutler Road from S. DeWitt Road

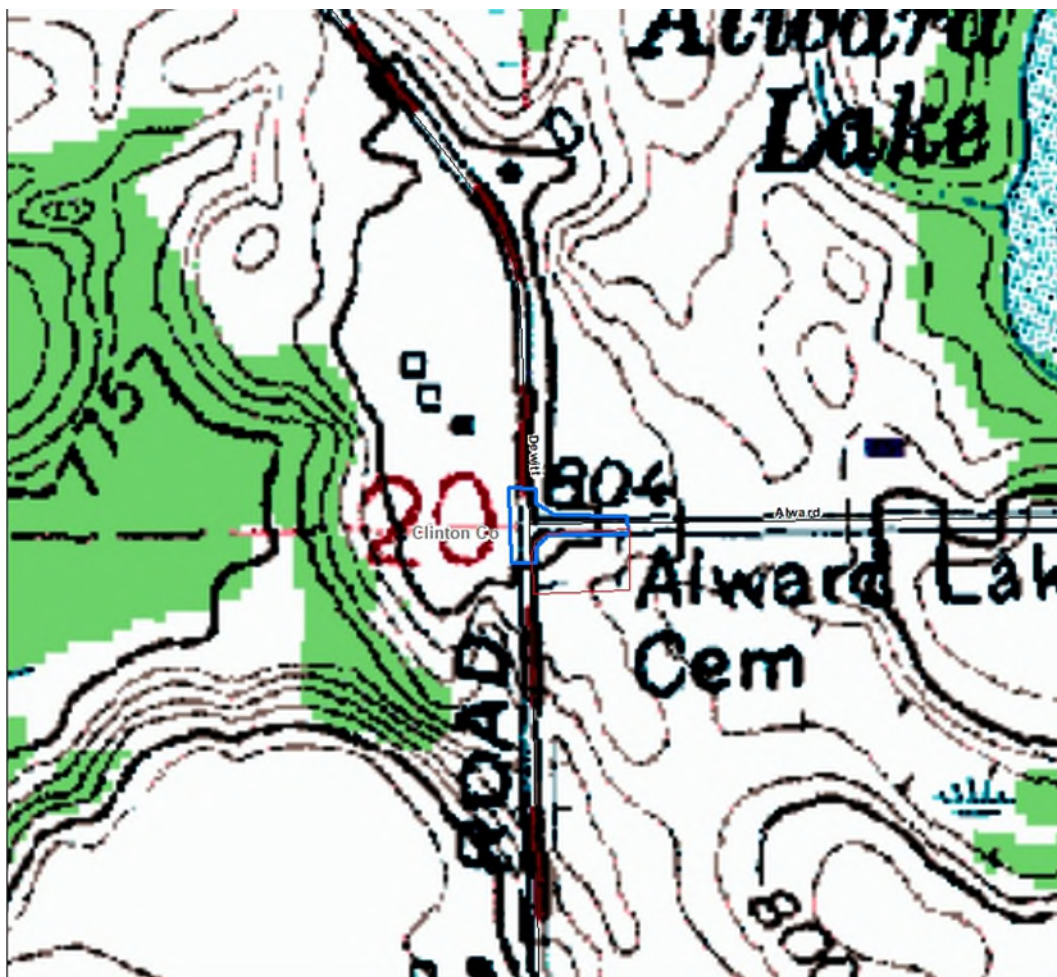


Project Area Job Number 12345

1 0.5 0 Kilometers

## USGS 7.5' Series Topographic Quad Map:

You must include the USGS 7.5' series topographic map(s) ([Free USGS Topographic Maps Online - Topo Zone](#)). The maps can also be downloaded for free at the USGS Topo View website (<https://ngmdb.usgs.gov/topoview/>). Label this graphic with the official USGS Quad map name, Section, Township, and Range information. This map should be cropped and zoomed to show the project area.



Saint Johns South, MI Topo Quad Map  
Sec 20, Township 6N, Range 2W



Project Area Job Number 12345

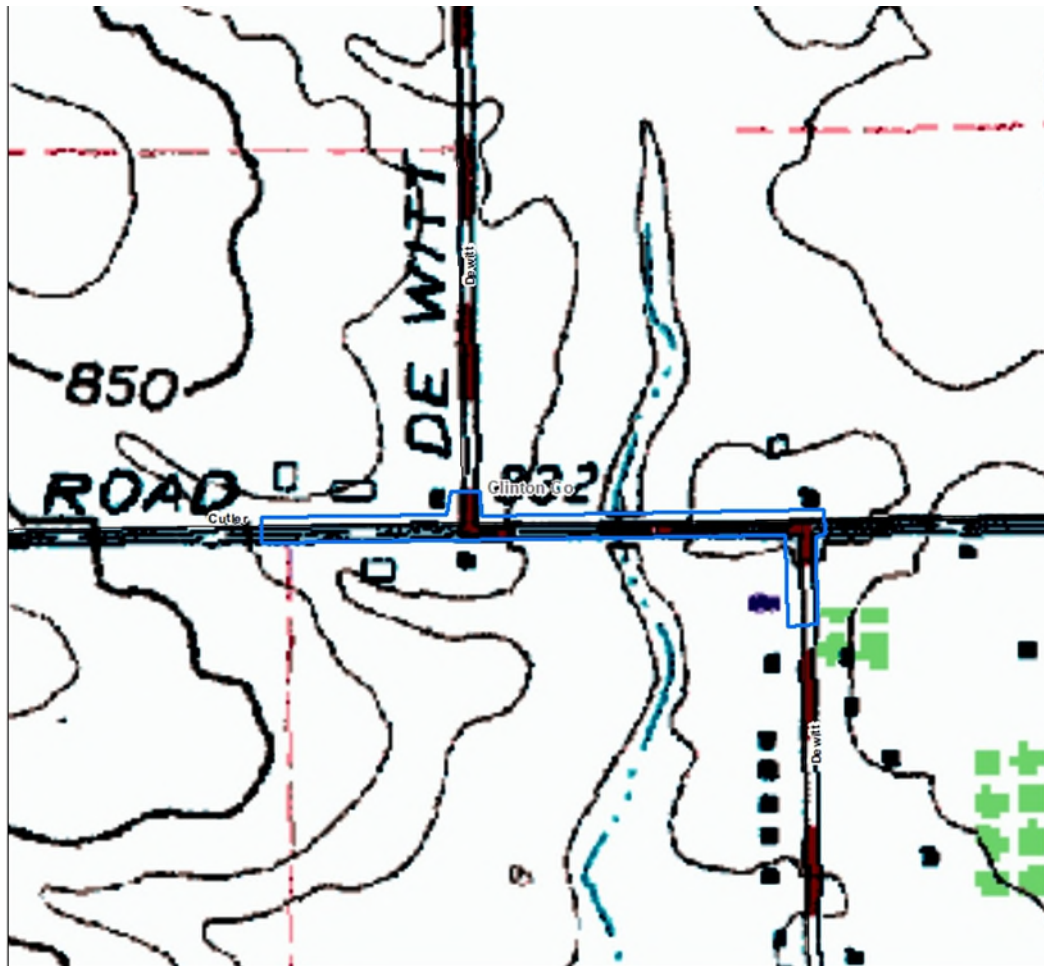


100 50 0 Meters





**USGS 7.5' Series Topographic Quad Map:**



Lansing North, MI Topo Quad Map  
Sec 5 & Sec 32, Township 6N, Range 2W



Project Area Job Number 12345



100 50 0 Meters





## Project Area Map:

You must include a map showing the project area, street/roads/intersections, right of way, and the locations of the work activities within the project limits. Your map should have a legend which depicts any bridges, culverts, tree removals, non-motorized pathways/trails, utility relocation/installations, streetscape items, new water retention/detention areas, access or staging areas, or any other item not described which could have potential environmental impacts. This map should be cropped and zoomed to show the project area.



HMA overlay, ditch clean out and restriping  
Alward St. and S. DeWitt Rd. Intersection



Cemetery



Project Area Job Number 12345



Ditch Clean Out





60 30 0 Meters


## Project Area Map:



HMA overlay, culvert replacement, ditch clean out  
and restriping W. Cutler Road & S. Dewitt Road

-  Culvert
-  Project Area Job Number 12345
-  Ditch Clean Out

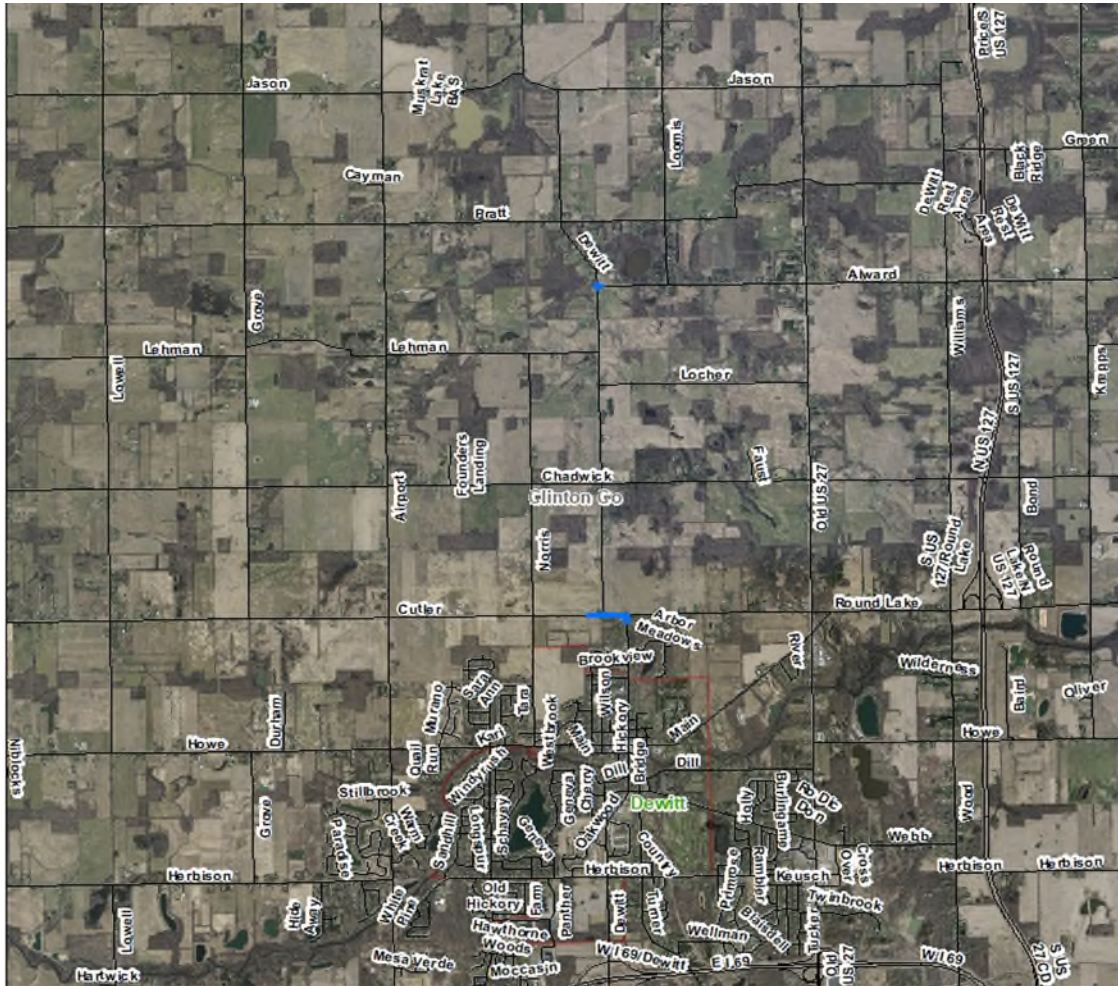


60 30 0 Meters  




## Aerial Map:

You may submit an aerial map of the project location and limits showing cross street/roads/intersections ([Google Earth](#) or [Google Maps](#)). Aerial images may be included as supplemental documents but will not be accepted in place of the maps required above. This map should be cropped and zoomed to show the project area.



HMA overlay, ditch clean out and restriping  
Alward St. and S. DeWitt Rd. Intersection  
W. Cutler Road from S. DeWitt Road

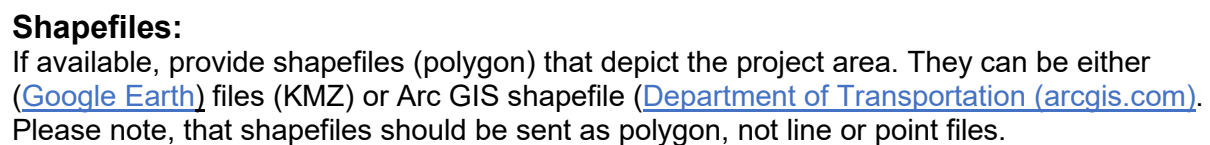


Job Number 12345

1 0.5 0 Kilometers



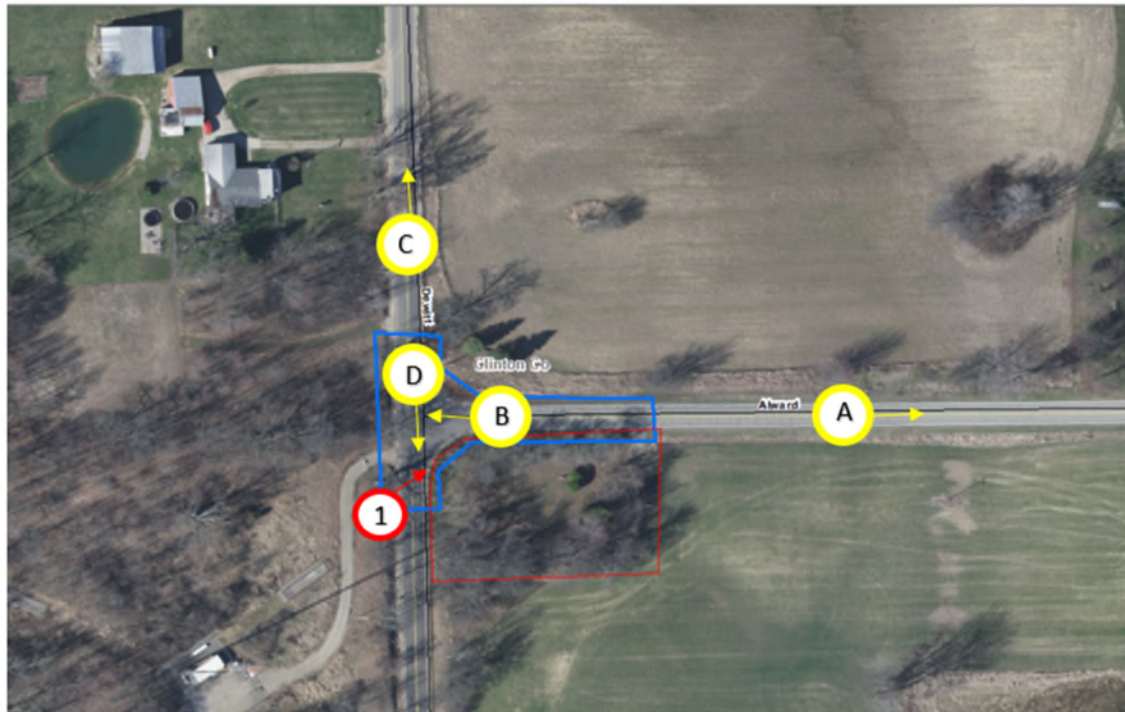
You may submit a DEGR project map of the project location and limits showing cross street/roads/intersections (





## Photo Map:

You must include a photo map with your submission. Photos should not be uploaded as individual files but should be combined within a Microsoft Word or PDF document as a photo document. Each photo should be numbered/identified and keyed to a map, with the number of the photograph, and an arrow indicating the cardinal direction the camera was pointed when the photo was taken.



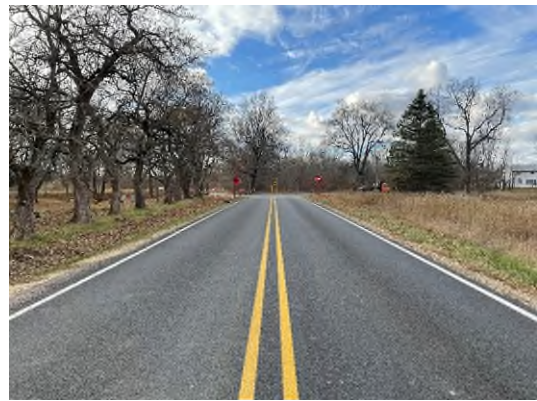
## Site Photographs:

Provide clear photographs that illustrate the general project area(s), as well as any buildings and structures that are 50 years of age or more located along the project corridor. If the project covers a large area, or multiple locations, provide several views. If the removal of mature trees is required, include photos of those locations, and key them to the map. Submitting grainy, dark, washed out, or blurry photographs will delay review of your project. Photos where features are covered by snow or leaves will not be accepted. Aerial photographs are not a substitute for ground-level photographs, although they may be useful as supplemental to those photographs.





*Figure A. W. Alward Rd. view West*



*Figure B. W. Alward Rd. view East*



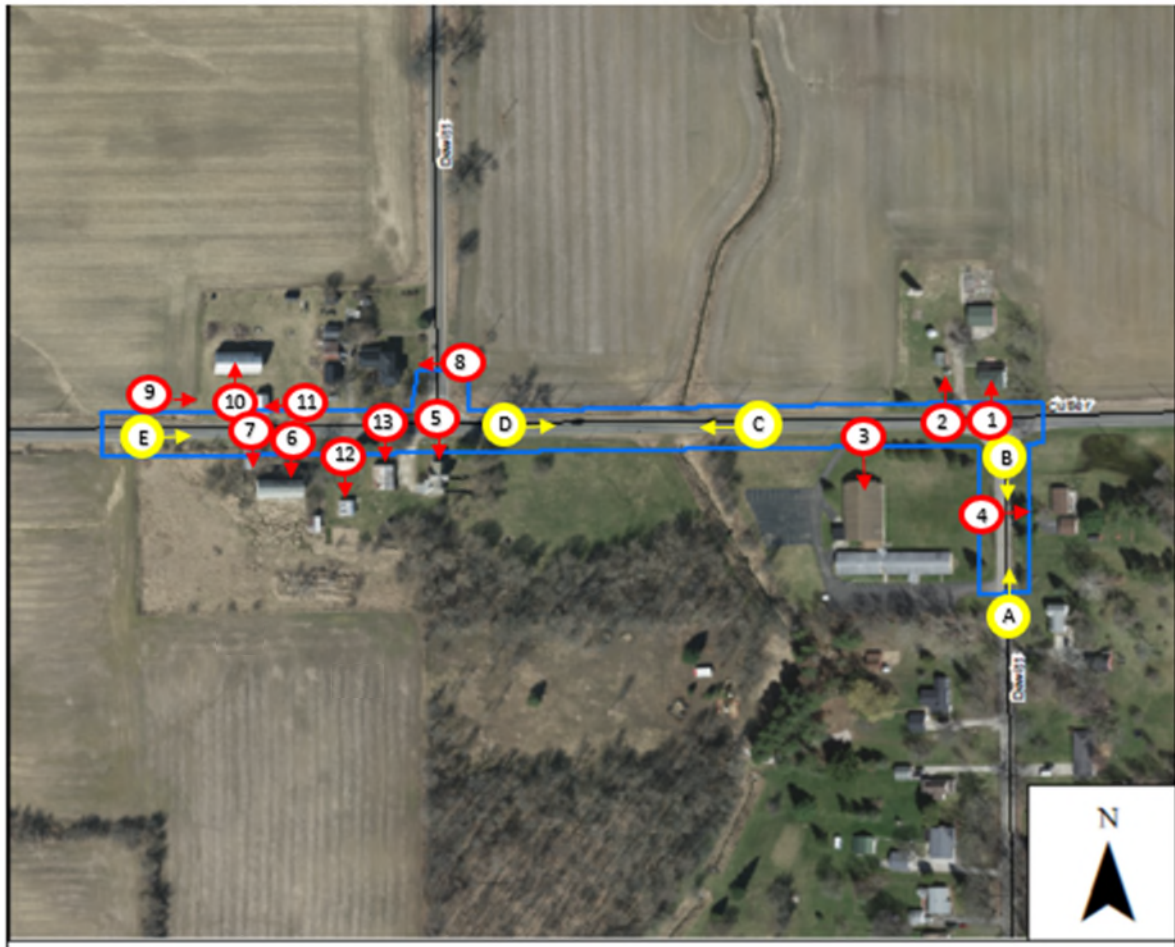
*Figure C. S Dewitt Rd. view North*



*Figure D. S Dewitt Rd. view South*



*Figure 1. Alward Lake Cemetery view East*



Structure Photo



Streetview Photo



Project Area



Figure A. S. DeWitt Rd. view North



Figure B. S. DeWitt Rd. view South





*Figure C. W. Cutler Rd. view West*



*Figure D. W. Cutler Rd. view East from Dewitt Rd.*



*Figure E. W. Cutler Rd. view East towards Dewitt Rd.*



*Figure 1. 2219 W. Cutler Rd. view North*



*Figure 2. 2219 W. Cutler Rd. view North/ Northwest*





Figure 3. 11068 S. DeWitt Rd., on W. Cutler Rd. view South



Figure 4. 11025 S. DeWitt Rd. view East



Figure 5. 2515 W. Cutler Rd. view South



Figure 6. 2515 W. Cutler Rd. view Southwest



Figure 7. 2515 W. Cutler Rd. view South



Figure 8. 10960 S. DeWitt Rd. view West





*Figure 9. W. Cutler Rd. view East Northeast*



*Figure 10. W. Cutler Rd. view North*



*Figure 11. W. Cutler Rd. view West*



*Figure 12. W. Cutler Rd. view South*



*Figure 13. W. Cutler Rd. view South*

## Cemeteries:

Cemeteries do not always retain accurate maps of the location of interments in relation to the legal boundaries of the cemetery. Human remains could be inadvertently discovered during ground disturbing construction outside of the perceived boundaries (e.g., cemetery fencing, a line of trees or other ornamental vegetation, a consistent line of gravestones adjacent to the project, etc.). The inadvertent discovery of human remains can occur in older portions of a cemetery, when records or grave markers of the interments have been lost over the years. Sometimes the original boundaries of the cemetery are not known, or the interments were never recorded (prehistoric burials). Projects within or adjacent to a cemetery may have visual or ground-disturbing impacts and at worst may impact unmarked graves. Sometimes there are headstones, human remains and other burial features within the ROW. Full research of the cemetery may be required to determine National Register eligibility. Even if the cemetery is determined ineligible, there may still be concerns with unmarked graves.

## 50 Years:

One of the conditions from the Programmatic Agreement states: *"There are no objects (like statues or monuments), buildings, historic districts, or structures (like bridges, stone curbs, or brick streets), cemeteries, or intentional/designed landscapes (a landscape is a collection of organized features that can range from something as small as a bird bath to large fields or orchards) that are 50 years old or older within 100 feet of the proposed work and the area is not archaeologically sensitive or a Traditional Cultural Property."*

### **How do you determine the age of structure or buildings 50 years old or older that may be located within 100 feet of the project area?**

You may find information to document the age of a building or structure through property titles or deeds, tax/assessor records, realtors' listings, city directories, plat books, Sanborn Fire Insurance Maps, city plans, newspapers, county archives, or by checking with a local historical society or even current property owners. Another good source is historic aerials, one helpful website is [Historic Aerials: Viewer](#).

Many of these resources are available online via the local library or the state library. Sanborn Maps can be found online on the Library of Congress website <https://www.loc.gov/collections/sanborn-maps/>

Other, more obvious visual indicators of age are the architectural style and/or building materials and construction methods, as older properties tend to have brick, stone or molded/rusticated concrete block foundations, wood siding, etc. If unsure, always include sufficient photographs. Please understand that if the age can't be adequately documented, the condition cannot be applied.

Please be aware there are many historic features aside from buildings that may be within your project area. Historic features can be buildings, objects, structures, or landscape and streetscape elements (including trees and vegetation) which, although not eligible on their own, contribute to the historical integrity of a larger overall historic property or district. A number of examples are included below to show what should be documented through photographs and provided to MDOT.



## Examples of Historic Features:



Figure 1. Brick Pavers



Figure 2. Brick Pavers



Figure 3. Terrazzo Commercial Entry



Figure 4. Terrazzo Commercial Entry



Figure 5. Terrazzo Commercial Entry



Figure 6. Commercial Entry





*Figure 7. Retaining Wall*



*Figure 8. Retaining Wall*



*Figure 9. Retaining Wall*



*Figure 10. Stone Fence*



*Figure 11. Cobble Stone Fence*



*Figure 12. Brick Fence*





*Figure 13. Wood Fence*



*Figure 14. Cast Iron Fence*



*Figure 15. Commercial Steps*



*Figure 16. Granite Steps*



*Figure 17. Steps*



*Figure 18. Steps*





Figure 19. Sign



Figure 20. Sign



Figure 21. Park Gate Entrance



Figure 22. Entrance Posts



Figure 23. Gate Entrance



Figure 24. Gate Entrance





Figure 25. Designed Landscape



Figure 26. Designed Landscape



Figure 27. Cemetery Footer Stones in ROW



Figure 28. Cemetery Head Stones in ROW



Figure 29. Drinking Fountain



Figure 30. Water Fountain





Figure 31. Hitching Post



Figure 32. Hitching Post



Figure 33. Light Post



Figure 34. Mailbox



Figure 35. Sculpture



Figure 36. Veteran Monument





Figure 37. Monument



Figure 38. Sculpture



Figure 39. Monument



Figure 40. Highway Monument





Figure 41. Culvert



Figure 42. Culvert



Figure 43. Culvert



Figure 44. Culvert



Figure 45. Bridge



Figure 46. Bridge





*Figure 47. Bridge*



*Figure 48. Bridge*



*Figure 49. Rural Trees*



*Figure 50. Rural Trees*



*Figure 51. Urban Trees*



*Figure 52. Urban Trees*

## **Tribal Consultation/Coordination:**

- Local Agencies are no longer responsible for Section 106 Tribal consultation/coordination
- All Section 106 Tribal coordination under the new PA must be overseen by qualified MDOT staff and all letters must be on MDOT letterhead.
- The MDOT LAP Archaeologist will inform the LPA when any Tribal consultation/coordination is required.
- In addition to Michigan's 12 Tribes, coordination is expanded to include (to date) 38 out-of-state federally recognized Tribes with ancestral ties to the state.

The MDOT LAP Archaeologist will inform the LPA when any Tribal consultation/coordination is required. Tribal Coordination is initiated when:

- Projects are identified by Tribes during Early Coordination as being of a concern, and/or
- MDOT's qualified archaeologists identifies the project area as being of concern during project review
- Presence of Native American burial grounds
- Projects requiring an archaeological survey or monitoring
- Projects within or adjacent to Tribal reservation lands
- Projects within or adjacent to known Traditional Cultural Properties (TCPs)
- In all instances in which Native American human remains are encountered

An Early Coordination Tribal Portal is in development by MDOT and should be in effect by 2025.

- Will incorporate the State Transportation Improvement Program (STIP)
  - [State Transportation Improvement Program \(STIP\) \(michigan.gov\)](https://www.michigan.gov/stip)
- Online, GIS-based portal for secure communication between MDOT and Tribal Nations
- Tribes will use the STIP map to locate projects of interest and send comments to MDOT
- Allows Tribes to notify MDOT of sensitive locations early in the planning process
- Very proactive approach to Tribal coordination



## Work Types/Activities:

Activity	Group	Stipulation	Condition
Signs/Signing/Signage with Driven Posts	Group 1	within the existing road footprint*	N/A
Signs/Signing/ Signage Without Posts	Group 1	within the existing road footprint*	N/A
Lane Striping/Pavement/Crosswalk Markings	Group 1	within the existing road footprint*	N/A
Concrete Slab, Base Course & Pavement Patches	Group 1	within the existing road footprint*	N/A
Concrete Joint Resealing with Minor Spall Repair	Group 1	within the existing road footprint*	N/A
Concrete Crack Sealing	Group 1	within the existing road footprint*	N/A
Diamond Grinding & Grooving	Group 1	within the existing road footprint*	N/A
Full Depth Concrete Pavement Repairs	Group 1	within the existing road footprint*	N/A
Partial Depth Concrete Pavement Repairs	Group 1	within the existing road footprint*	N/A
Dowel Bar Retrofit	Group 1	within the existing road footprint*	N/A
Concrete Pavement Restoration	Group 1	within the existing road footprint*	N/A
Rubblizing Concrete Pavement & Base	Group 1	within the existing road footprint*	N/A
Rehabilitating on Existing Paved Surfaces	Group 1	within the existing road footprint*	N/A
Resurfacing or Profiling	Group 1	within the existing road footprint*	N/A
Single /Multi/Structural Mill and Fill	Group 1	within the existing road footprint*	N/A
Mill and Fill	Group 1	within the existing road footprint*	N/A
Chip Seal & Cape Seal	Group 1	within the existing road footprint*	N/A
HMA Crack Treatment & Over-band Crack Fill	Group 1	within the existing road footprint*	N/A
Paver Placed Surface Seal	Group 1	within the existing road footprint*	N/A
Fiber Mat	Group 1	within the existing road footprint*	N/A
Remove &/or Replace Existing Bituminous Surface	Group 1	within the existing road footprint*	N/A
Cold Milling and Resurfacing	Group 1	within the existing road footprint*	N/A
Single/Multi Course Micro-Surfacing & Micro Surfacing	Group 1	within the existing road footprint*	N/A
Crush and Shape Resurfacing	Group 1	within the existing road footprint*	N/A
Asphalt Resurfacing Single or Multi Course	Group 1	within the existing road footprint*	N/A
Asphalt Pavement Repair	Group 1	within the existing road footprint*	N/A
Hot Mix Asphalt (HMA) Overlay/Paving/Resurfacing	Group 1	within the existing road footprint*	N/A
Non-Structural HMA Overlay	Group 1	within the existing road footprint*	N/A
Ultra-Thin HMA Overlay	Group 1	within the existing road footprint*	N/A
HMA Pavement Replacement/Resurface	Group 1	within the existing road footprint*	N/A
HMA Pavement Replacement on/Over Aggregate	Group 1	within the existing road footprint*	N/A
Pave Shoulder Over Existing Aggregate/Gravel	Group 1	Up to 3 feet beyond the edge of the existing pavement, within the existing gravel shoulders, within the existing road footprint*	N/A
Pavement Joint Repair	Group 1	within the existing road footprint*	N/A
Aggregate/Gravel Shoulders	Group 1	within the existing gravel shoulders, within the existing road footprint*	N/A
Repaving Existing Shoulders	Group 1	within the existing road footprint*	N/A
Rehabilitating Trench	Group 1	Less than 1 foot (deep) or 12 inches, (no meters) for trenching in existing shoulder and pavement only within the existing road footprint*	N/A
Culvert Liner with Heavy Machinery on the Existing Pavement	Group 1	Any culvert liners where the heavy machinery stays on the existing pavement and/or shoulders can be excepted under Group 1 as long as work is within the existing road footprint*	N/A
Culvert Liner without Heavy Machinery	Group 1	Any culvert liners where there is no use of heavy machinery can be excepted under Group 1 as long as work is within the existing road footprint*	N/A
Culvert Cleanout/ Ditch Cleanout	Group 1	If machinery is used, it must stay on the existing pavement, can be excepted under Group 1 as long as work is within the existing road footprint*	N/A

Sidewalk Ramp: In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads.
Sidewalk: In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Sidewalk/Curb-Ramp Transitions: In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Sidewalk: In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Curb Ramp: In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Curb and Gutter: In-kind Replacement, Repair, Upgrades/Updates, Installation, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Gutter: In-kind Replacement, Repair, Upgrades/Updates, Installation, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Curb: In-kind Replacement, Repair, Upgrades/Updates, Installation, Replacement/Removal	Group 2	No stone curbs	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads

Bus Loading Pad: In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Scour and Erosion control (riprap): In-kind Replacement, Repair, Upgrades/Updates, Installation, Replacement/Removal	Group 2	For Bridge or Culverts, within 25 feet of top of bank and 100 feet upstream and downstream	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Drainage structure: Storm Sewer/Storm Drain, Catch Basin, Ditch: Clean out, In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal	Group 2	Storm Sewer/Storm Drain, Catch Basin can be installed as long as they are within the existing edge of pavement	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Guardrail: In-kind Replacement, Repair, Upgrades/Updates, Installation, Replacement/Removal	Group 2	N/A	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Culvert: Corrugated Metal Pipe CMP/ Concrete Culvert/Corrugated Plastic Pipe (CPP) or High-Density Polyethylene (HDPE)/ETC: In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal/Extension	Group 2	Cannot exhibit wood, stone or brick structures, or parts therein.	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Railroad (RR) Crossing Upgrades	Group 2	provided no runarounds are used to reroute vehicular or RR traffic, all work is within the road footprint, all work is within the RR right-of-way and any signals are replaced in kind	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Temporary Grading Permits	Group 2	Only for work outside the right of way to match existing driveway, or private road extensions.	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Embankment Material (Soils)	Group 2	Includes processed granular materials placed in the right of way or in a permanent easement with no excavation	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads



Existing Signs, Signals, Markings, Illumination, Other Warning Devices and their Supports, or Poles (Modification, In-kind Replacement, Repair, Upgrades/Updates, Replacement/Removal)	Group 2	Flashing beacons, traffic signal poles/pedestals, span wire, conduits, traffic signal cabinets, hand/manholes, Signal actuation, wireless interconnect, reflectorized backplates, diagonal span configuration, box span configurations, night flashers, Dilemma Zone detection	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Hot Mix Asphalt (HMA) Overlay with Waterproofing Membrane	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Epoxy Deck Overlay (Concrete)	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Shallow or Deep Deck Overlay (Removing and Replacing Concrete Surface Above or Below the Top Mat of Steel Reinforcement)	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Slope Paving Repair (Erosion Prevention Under Bridge)	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Drainage System Repair (Bridge Deck Drains and Bridge Approach Downspouts)	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Concrete Crack Sealing	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads

Bridge Preventive Maintenance: Concrete Deck Patching and Repair	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Approach Pavement Relief Joint Installation	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Temporary Supports	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Expansion or Construction Joint Repair	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Scarifying and Hydro-demolition for Decks Only	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Water Repellant Treatment on Deck Surfaces	Group 2	Work on all bridges (including historic bridges)	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Painting only (Full, Zone, or Spot Painting)	Group 2	Work on all for bridges less than 50 years old:	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Pin and Hanger Replacement	Group 2	Work on all for bridges less than 50 years old:	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads

Bridge Preventive Maintenance: Joint Replacement and Repair	Group 2	Work on all for bridges less than 50 years old:	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Bridge Preventive Maintenance: Substructure Patching	Group 2	Work on all for bridges less than 50 years old:	All of the following conditions must apply to the project types below for a project to be excepted! 1. No buildings/structures/objects 50 years or older within 100 feet of the proposed work and the area is neither archaeologically sensitive nor contains TCPs. 2. Construction will take place within the vertical and horizontal limits of previous construction or within 2 feet of existing features. 3. Work will take place within the existing right-of-way, permanent easement or with temporary grading permits for private driveways and side roads
Lane or Shoulder Widening	Not Excepted	N/A	N/A
ROW Acquisition	Not Excepted	N/A	N/A
Roundabout/Road Realignment	Not Excepted	N/A	N/A
Tree Removal	Not Excepted	N/A	N/A
Culvert Liner with use of Heavy Machinery Outside of the Edge of Pavement	Not Excepted	Any culvert liners that include the use of heavy machinery outside of the edge of the pavement and/or shoulders including bank excavation, water course or drainage/ditch excavation, equipment staging, temporary access, or grading permits would not meet Group 1 or Group 2 exceptions.	N/A
Building Face, Retaining Wall, Pedestrian Railing, Building Elevation Change, Stair Changes (Add/Remove Stair) Removal of Landscape Features (Landscaping Walls, Fences, Pillars etc....)	Not Excepted	N/A	N/A
All Repairs that Qualify as Operations Which Respond to a Disaster or Emergency Declared by the President, a Tribal Government, or the Government of a State	Review the PA Section 8, pg. 10	N/A	N/A
All Repairs that Qualify as Operations which Respond to Other Immediate Threats to Life or Property	Review the PA Section 8, pg. 10	N/A	N/A
<b>ANY PROJECT WORK TYPE/ACTIVITY NOT INCLUDED ON THIS LIST IS NOT EXCEPTED AND WILL REQUIRE A SECTION 106 APPLICATION</b>			
<b>*For existing road footprint definition, see graphics below</b>			



# RURAL RIGHT-OF-WAY

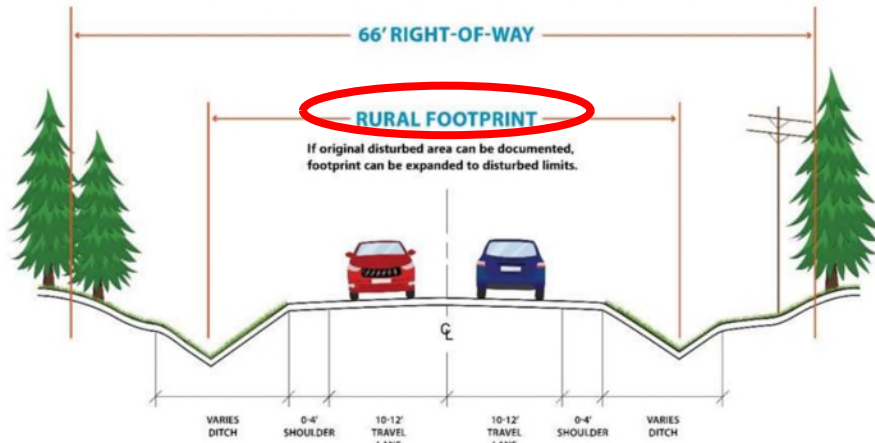


Image F

# URBAN RIGHT-OF-WAY

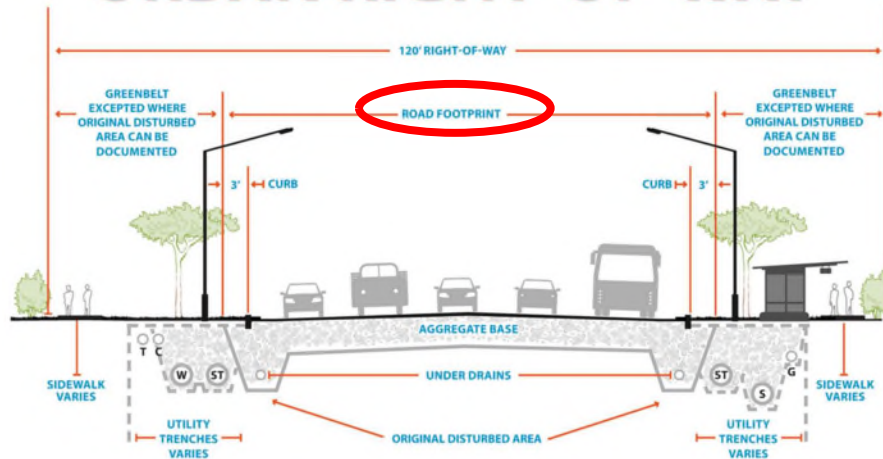


Image G

## Explanation of Frequently Used Terms:

**AE – Adverse Effects:** There will be Adverse Effects on historic properties.

**APE:** The Area of Potential Effects (APE) is defined as “the geographic area or areas within which an undertaking may directly or indirectly cause alterations in the character or use of historic properties. The area of potential effects is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking.” [36 CFR § 800.16(d)] It includes the Project Area and extends to the adjacent parcels surrounding it where physical, visual, noise, or vibrational effects could occur. An APE need not be a single contiguous area but may consist of more than one area, depending on the specific features of the undertaking. It should be envisioned in three dimensions and must include all areas of horizontal and vertical ground disturbance.

**Archaeological APE:** The area in which a project would have the potential to impact eligible or potentially eligible sites, if any were present. In areas with proposed ground disturbance or right-of-way acquisition, the archaeological APE consists of all apparent/existing and proposed ROW (the project footprint).

**Construction Limits:** The farthest limits of construction as measured perpendicular to a base line (e.g., toe of slope, top of ditch backslope). The construction limits are usually the farthest extent of ground disturbance at a project site. Do not use a project’s construction limits as your archaeological survey area because you will not cover all of the archaeological APE. The archaeological reconnaissance must extend to at least the existing or proposed ROW limits in which project impacts will occur.

**Coordinator:** MDOT LAP NEPA Coordinator

**Criteria of Adverse Effects:** Adverse effects on historic properties include but are not limited to those described below. There are many types of effects a project may have on a historic property. In applying the criteria of adverse effects, one must consider direct and indirect effects, as well as cumulative effects.

- Physical destruction of or damage to all or part of the property;
- Alteration of a property, including restoration, rehabilitation, repair, maintenance, stabilization, hazardous material remediation and provision of handicapped access that is not consistent with the Secretary’s Standards for the Treatment of Historic Properties (36 CFR §68) and applicable guidelines;
- Removal of the property from its historic location;
- Change of the character of the property’s use or of physical features within the property’s setting that contribute to its historic significance;
- Introduction of visual, atmospheric, or audible elements that diminish the integrity of the property’s significant historic features;
- Neglect of a property which causes its deterioration, except where such neglect and deterioration are recognized qualities of a property of religious and cultural significance to an Indian tribe or Native Hawaiian organization; and

- Transfer, lease, or sale of a historic property out of Federal ownership or control without adequate and legally enforceable restrictions or conditions to ensure long-term preservation of the property's historic significance.

**CRS:** MDOT LAP Cultural Resource Specialists (Archaeologist & Historian)

**De Minimis:** A de minimis impact involves the use of Section 4(f) property that is generally minor in nature. A de minimis impact is one that, after taking into account avoidance, minimization, mitigation and enhancement measures, results in no adverse effect to the activities, features, or attributes qualifying a park, recreation area, or refuge for protection under Section 4(f). For historic properties, a de minimis impact can only be made if there is a Section 106 determination of "no adverse effect" or "no historic properties affected."

**Group 1:** MDOT LAP Excepted Projects that fall within Appendix B (Group 1) have no conditions attached. These consist of projects whose work types/actions that by their nature and definition constitute activities that pose little/minimal potential to affect historic properties.

**Group 2:** Conditional Excepted Projects that fall within Group 2 have specific conditions attached. These projects consist of work types/actions that by their nature and definition constitute activities that have a greater potential, under various circumstances, to affect historic properties.

**Historic Feature:** Historic features can be buildings, objects, structures, or landscape and streetscape elements (including trees and vegetation) which, although not eligible on their own, contribute to the historical integrity of a larger overall historic property or district.

**Historic Property:** A historic property is defined in the Sec. 106 regulations as, *"any prehistoric or historic district, site, building, structure, or object **included in, or eligible for inclusion in, the National Register of Historic Places.**"* Under Sec. 106, federal agencies, or federally delegated authorities must *"apply the National Register Criteria to properties identified within the area of potential effects."* Please note that only a small portion of Michigan has ever been surveyed for historic properties, so most historic properties have yet to be identified.

**Integrity:** Historic integrity is the ability of a property to convey its significance and is defined as the "authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's prehistoric or historic period." The seven aspects of integrity, as defined by the National Park Service, are location, design, setting, materials, workmanship, feeling and association.

**LAP:** MDOT's Local Agency Program Unit

**LPA:** Local Public Agency

**MDOT:** Michigan Department of Transportation

**Mitigation:** Is a way to offset or compensate for an adverse effect or a change in a historic property's qualifying characteristics in such a way as to diminish its integrity. A mitigation plan



for the undertaking may contain several treatment plans, one for each property being adversely affected. Some examples of mitigation measures include redesign, relocation, archaeological data recovery, documentation, public education initiatives or interpretive measures.

**NAE – No Adverse Effects:** There will be no adverse effects on historic properties (there are historic properties affected, but not adversely).

**National Register criteria:** To be included in, or eligible for inclusion in the National Register, a property must be at least 50 years of age (from date of initial project submission), and retain its (historic) integrity, and must meet at least one of the four criteria below:

- a) association with events, activities that have contributed to the broad patterns of our history;
- b) association with the lives of persons significant in our past;
- c) embody distinctive characteristics of a type, period, or method of construction; has high artistic value; or
- d) potential to yield information important in history or prehistory.

**NEPA – National Environmental Policy Act:** It is an umbrella law for environmental concerns. It establishes national policy regarding the environment and effects on it by federal actions.

**NHPA – National Historic Preservation Act of 1966:** Legislation intended to preserve historic and archaeological sites in the United States of America. It is the nation's first environmental law, and it is the most comprehensive historic preservation legislation in U.S. Under **Section 106** of the Act, federal agencies are required to consider the impact of all federally funded or permitted projects on historic properties (buildings, archaeological sites, etc.).

**Not Excepted:** Projects that do not meet the exceptions and conditions criteria as defined in Appendix B are not excepted, and a full Section 106 review by MDOT Cultural Resources Specialists is required.

**NP – No Historic Properties Affected:** No historic properties exist, or no historic properties will be affected.

**NRHP – National Register of Historic Places:** Established in the NHPA, it is the United States federal government's official list of districts, sites, buildings, structures and objects deemed worthy of preservation for their historical significance or "great artistic value". The National Register is not a complete list of all historic properties – it is being added to continuously.

**PA – Programmatic Agreement:** A programmatic agreement is a legal agreement whereby a federal agency may create a Section 106 process that differs from the standard review process. For all undertakings under a particular program. A with similar or repetitive effects on historic properties, can avoid the need for individual reviews for each project. PA's can also formally delegate Section 106 decision making responsibilities to non-federal parties, such as state departments of transportation.

**Project Area:** The existing and proposed ROW that encompasses a given LPA project from its POB to its POE.

**Project Limits:** The extent of a project from its POB to POE.

**Section 4(f):** Section 4(f) refers to the section within the U.S. Department of Transportation Act of 1966 which provides consideration regarding the “use” (either actual take of land or a less-tangible “constructive use”) of park and recreation lands, wildlife and waterfowl refuges, and historic sites during transportation project development (the most common type of impact for LAP projects is purchase of permanent easement and/or fee ROW from a historic property). A Section 4(f) evaluation is required to demonstrate that there is no prudent and feasible alternative to the use, and that all possible planning has been done to minimize harm.

**SHPO:** State Historic Preservation Office

**Significance:** The historic significance of a property refers to its ability to meet one of the four National Register criteria.

**Survey Area:** The area subjected to archaeological evaluation. This evaluation may range from a determination that no field inspection is necessary because no ground-disturbing activities will take place, to visual inspection of disturbed areas, to archaeological survey of undisturbed existing and proposed ROW in areas where ground disturbance is proposed or anticipated. The survey area must encompass the entire archaeological APE and any additional areas examined or evaluated. Survey area is the preferred term to use whenever referring to the archaeological evaluation of an INDOT-reviewed project.

**TCP – Traditional Cultural Property:** A Traditional Cultural Property (TCP) is a property that is eligible for inclusion in the National Register of Historic Places (NRHP) based on its associations with the cultural practices, traditions, beliefs, lifeways, arts, crafts, or social institutions of a living community.

**THPO:** Tribal Historic Preservation Officer

## **Contacts:**

E-mail: [MDOT-LAP-Section106-Reviews@michigan.gov](mailto:MDOT-LAP-Section106-Reviews@michigan.gov)

Brian Grennell, (MDOT LAP Historian)

*Phone: 517-388-5838*

Patty Jo Korzeniewski, (MDOT LAP Archaeologist)

*Phone: 517-582-3232*

MDOT LAP NEPA Web page: [National Environmental Policy Act \(NEPA\) \(michigan.gov\)](#)